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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, JANUARY 4, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 6:30 p.m. on Wednesday, January 4, 1978 in City Hall, Room 282.

Present were: President Patrick S. Halliman
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner David R. Scott
Commissioner Douglas J. Engmann

Also present were Inspector Art Campos of the Department of Public Works, Officer Michael Seybold of the Police Department, Daniel Sullivan of City Planning Department, Captain James Calden of the Fire Department, and the board's official Hearing Reporter, Doris Levine.

The first order of business was election of board officers for the new year. President Halliman nominated Vice President Agripino Cerbatos for president; the motion was seconded by Commissioner Jackson and unanimously carried. Commissioner Jackson then nominated Commissioner David R. Scott for vice president; this nomination was seconded, and Commissioner Scott was elected vice president.

A letter dated December 27, 1977 from attorney Lawrence V. Schonbrun was before the board, regarding the property at 1033-1035 Broadway. Since the records show that Mr. Schonbrun's client had been before the board in 1975 in connection with Appeal No. 7189 and that the issue had afterwards been adjudicated in Superior Court, there was no motion for further action at this time.

Letter from Kurt Wipolski was before the board, seeking to file an appeal beyond the ten days regarding a determination of the Zoning Administrator dated December 15, 1975, motion to accept an appeal was made by Commissioner Jackson, seconded by Commissioner Cerbatos, and unanimously carried.

Rehearings of Appeals 8068 and 8076 were denied for lack of a motion. Rehearing of Appeal No. 8073 was unanimously granted upon motion of Commissioner Jackson.

Appeal No. 8054 was withdrawn shortly before the meeting, with the understanding that an agreement had been reached with the department. Appeal 8083

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has been continued one week at the request of the appellant. Appeals 8082 and 8092 have been continued one week by agreement between the Fire Department and the appellants.

The proposed departmental budget for fiscal year 1978-1979 was before the board for consideration. The Commissioners will study the requested items and have this matter on calendar at the next regular meeting.

APPEAL NO. 8078

John R. Edmondson, Appl. vs. S.F. Police Dept., Resp. (City Planning Disapproval)
Denying appellant 12/2/77 permit for Place of Entertainment at 1398 South Van Ness.

There was no testimony from the Police Department. Daniel Sullivan spoke for City Planning Department. No one was present for the appellant, and a ruling on this appeal was therefore deferred until later in the meeting. As no one appeared during the course of the evening, the board unanimously concurred in this denial, with the understanding that the appellant may request a rehearing.

APPEAL NO. 8081

Richard L. Collier, Jr., Appl. vs. S.F. Police Dept., Resp.
Denying appellant 11/29/77 Cabaret License for 520 - 4th Street, and denying request for use of Dance and Entertainment permits beyond the hour of 2:00 a.m.

Officer Michael Seybold spoke for the Police Department, and attorney Irwin Goldman represented the appellant. After considering all circumstances, the board voted unanimously to overrule, with stipulation that no alcoholic beverages be served on the premises.

APPEAL NO. 8090

Patricia Lee Smith, Appl. vs. S.F. Police Dept., Resp. (City Planning Disapproval)
(Dept. of Public Works Disapproval)
Denying appellant 12/31/77 permit for Place of Entertainment at 4416 - 18th Street.

Officer Michael Seybold spoke for the Police Department, Daniel Sullivan made a presentation for City Planning Department, and Inspector Art Campos represented the Department of Public Works. Appearing in opposition to the permit were Grace Maire and Mr. Mullin. The appellant and others spoke for the proposed permit. In a 4 to 1 vote with Commissioner Jackson voting to concur, the board overruled with the following stipulations: (1) Requirements of Department of Public Works regarding electrical service to be met; (2) Entertainment to be presented only between the hours of 8:00 p.m. and 10:00 p.m.; (3) Musical entertainment to be limited to a single instrument with no sound amplification; (4) Appellant's

business establishment to discontinue the practice of placing cartons or other discarded items in courtyard.

APPEAL NO. 8063

Edward Litke, Appl. vs. S.F. Dept. of Public Works, Resp.
Denial by letter dated 11/21/77 of permit to alter a building at 918 Broderick.

Inspector Art Campos presented the case for the Department of Public Works, and attorney Michael Ohleyer and engineering architect Mr. Wada spoke for the appellant. After hearing the facts, the board unanimously overruled.

APPEAL NO. 8085

Jack Sumaki, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 12/19/77 permit to alter a building at 587 - 9th Avenue.

Inspector Campos read the letter from his department, and attorney David Norwin and general contractor Mr. Bach appeared for the appellant. After hearing all arguments, the board voted unanimously to overrule.

APPEAL NO. V-8068

George Jeong, Appl. vs. S.F. Zoning Administrator, Resp.
Denying appellant 12/7/77 a variance for property at 67 Bernard Street.

Daniel Sullivan spoke for the Zoning Administrator, and appellant George Jeong appeared. After considering all matters presented, the board overruled unanimously with stipulation that third dwelling unit be permitted only if the property is able to provide off-street parking spaces for three full-size passenger cars.

The following two appeals were heard together:

APPEAL NO. 8089

William & Ethel Chester, Appls. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 12/12/77 to Dr. J. Meyer, permit to alter a building at 436 Gold Mine Drive.

APPEAL NO. 8091

Eliot S. Jubelirer, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 12/12/77 to Dr. J. Meyer, permit to alter a building at 436 Gold Mine Drive.

Appellant Ethel Chester, her attorney Jed Lanstein, and appellant Eliot Jubelirer gave the grounds for these protests, and permit holder Dr. Joseph Meyer defended the permit. The board scheduled a site inspection for Monday,

January 9, and will hold further hearing at the next regular meeting on Wednesday, January 11, 1978.

APPEAL NO. 8095

Richard Hurff and Robert Feyer, Appls. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 12/15/77 to Thomas Sestak, permit to alter a building at 25 Clifford Terrace.

Appellant Richard Hurff and Mrs. Cohen gave the grounds for this protest, and permit holder Thomas Sestak appeared in defense of the permit. President Cerbatos moved that this matter be continued one week to give City Planning Department an opportunity to re-check the plot plan. The motion carried by a 3 to 2 margin, with Commissioners Jackson and Scott voting against the motion.

The following two appeals were heard as one:

APPEAL NO. 8096

Madlyn Stein, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 12/21/77 to Pacifica Land Development Company, permit to erect a structure at 165 Belgrave.

APPEAL NO. 8102

Morley Singer, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 12/21/77 to Pacifica Land Development Company, permit to erect a structure at 165 Belgrave.

Appellants Madlyn Stein and Morley Singer, together with Albert Meakin and Mr. Keaton, presented the grounds for these protests. Daniel Sullivan participated in the discussion, and architect Gene Lawrence represented the permit holder. It was agreed by all parties that these two appeals be continued two weeks for reinterpretation of the plans by City Planning Department and resolution of any problems with that department.

APPEAL NO. 8098

Thomas A. Gust, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 12/28/77 Electrical Permit for work at 969 Wisconsin Street.

Inspector Art Campos outlined this appeal, and appellant Thomas Gust testified. After consideration of all circumstances, the board voted unanimously to overrule.

MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

MONDAY, JANUARY 9, 1978

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A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 5:00 p.m. on Monday, January 9, 1978 at 436 Gold Mine Drive.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann

The following two appeals were considered:

APPEAL NO. 8089

William & Ethel Chester, Appls. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 12/12/77 to Dr. J. Meyer, permit to alter a building at 436 Gold Mine Drive.

APPEAL NO. 8091

Dr. Eliot S. Jubelierr, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 12/12/77 to Dr. J. Meyer, permit to alter a building at 436 Gold Mine Drive.

The Commissioners viewed the subject property, and assessed the probable effect of the proposed rear deck on the houses owned by the appellants. After discussion with the permit holder, the appellants, and others present, the meeting was adjourned.

Further hearing on these protests will be held at the next regular meeting on Wednesday, January 11, 1978.

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, JANUARY 11, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 6:30 p.m. on Wednesday, January 11, 1978 in City Hall, Room 282.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann

Also present were Inspector Raymond McDonnell of the Department of Public Works, Captain James Calden of the Fire Department, Daniel Sullivan of City Planning Department, and Officers Boybold, Macia, West, and O'Donnell of the Police Department. The proceedings were recorded by the board's official Hearing Reporter, Doris Levine.

A motion by Commissioner Engmann was unanimously carried, that a letter be directed to Patrick S. Mallinan commending him for his service and leadership on the board. Mr. Mallinan has resigned at the close of his term of office as board president.

Upon motion of Commissioner Scott, City Planning Department's requests for rehearing on Appeals 8041 and 8050 were put over to the January 25 meeting, pending the Executive Director's return from vacation. Rehearing of Appeal 8063 was denied for lack of a motion.

Letter dated January 5, 1978 from Gregory Gaar was before the board, seeking to file protests beyond the ten days regarding fpermits granted for new structures on Los Palmos Drive. Commissioner Engmann's motion to accept appeals failed to receive a majority vote, and the request was therefore denied.

Inquiry from Mr. Tip Millan dated January 10, 1978 was considered, dealing with the circumstances in which the board could rehear an appeal. This letter apparently concerns Appeal No. 7911, as confirmed by testimony from Captain James Calden. It was directed that an appropriate response be sent to Mr. Millan.

Approval of the proposed budget for fiscal year 1978-79 was delayed one week for further study by the Commissioners and possible additional requests.

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Further hearing was held on Appeal No. 8095. Daniel Sullivan of City Planning Department made his report, appellant Robert Feyer spoke, and permit holder Thomas Sestak defended the permit. After considering all facts presented, the board concurred unanimously in the granting of the permit, with the following stipulations: (1) Permit holder to submit revised drawings correcting the encroachment of 3.384 feet into rear yard, indicated in City Planning Department's letter of January 11, 1978; (2) Revised drawings to show steel fire escape in place of stairway.

In further hearing of Appeals 8089 and 8091, in which the Commissioners had made a site inspection, appellant-protestants Eliot S. Jubelirer and Ethel Chester spoke, permit holder Dr. J. Meyer gave information, and Daniel Sullivan participated in the discussion. In both appeals, the board concurred unanimously in the granting of the permit, with the following stipulations: (1) Floor of deck to be level with existing exterior doorway; (2) Height of railing on deck to be limited to three feet; (3) Structural elements of deck to be concealed by redwood lattice.

APPEAL NO. 8097

Lea Epsteen, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 12/20/77 Peddler's Permit to sell pretzels from cart at southeast corner of Geary and Powell.

Officers Seybold, West, and O'Donnell spoke for the Police Department, Lloyd Pflueger opposed this permit, and the appellant appeared with her representative Steven Block. This case was continued one week for more exact designation of location requested.

APPEAL NO. 8094

Arthur Griffo, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 12/13/77 permit as Second Hand Dealer at 1768 Haight Street.

Officer Michael Seybold represented the Police Department, Mr. G. Donalds opposed the permit, and Inspector Raymond McDonnell gave information. The appellant appeared in his own behalf. The board scheduled a site inspection for Monday, January 16, and continued this appeal to the next regular meeting.

APPEAL NO. 8101

Diane Meckenberg, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 12/23/77 permit for Mechanical Amusement Devices at 199 Ellis.

Officers Seybold, West, and O'Donnell presented the case for the Police Department, Bernard Averbuch spoke in opposition to the permit, and the appellant appeared with her accountant George Kasteras. In a split vote with

Commissioners Scott and Jackson voting to concur, this appeal was denied.

APPEAL NO. 8103

Northern California Coalition For Handgun Control, Appl. vs. S.F. Police Dept.
Protesting the granting on 12/21/77 to Ernest Blumenthal, permit as Retail Dealer in Firearms at 35 - 6th Street.

Permit holder Ernest Blumenthal appeared with his attorney Martin H. Eber in defense of this renewal permit. After discussion with the board, this appeal was continued one week so that Mr. Blumenthal's counsel may review previous files regarding the hangun issue.

The appellant has withdrawn Appeal No. 8083 and this item has been dropped from calendar.

APPEAL NO. 8104

Courtney Clarkson, Appl. vs. S.F. Dept. of Public Works, Resp.
Appealing for refund of penalty paid on 1/4/78 for building work at 260 Mullen Avenue.

Inspector Raymond McDonnell read the letter from the Department of Public Works, and the appellant appeared. The board voted unanimously to overrule.

APPEAL NO. 8092

George Grice, Appl. vs. S.F. Fire Dept., Resp.
Denying appellant 12/7/77 permit for Public Repair Garage at 260 Potrero Avenue.

Captain James Calden discussed the compromise reached with his department, and appellant George Grice appeared. The board voted unanimously to overrule, with the following stipulations: (1) Permit to be granted for "Special Branch Automobile Repair Shop" (2) Any work now being performed as public repair garage to be removed from premises within thirty days from date of this ruling; (3) Fire extinguishers to be provided as required by Fire Department.

At the request of the Fire Department, Appeal No. 8092 has been put over one week, as the permit has not yet been officially denied.

APPEAL NO. 8093

John F. Shine, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Dept.)
Denying appellant 12/16/77 permit to alter a building at 1032-1034 Guerrero Street.

Daniel Sullivan outlined this appeal, Inspector McDonnell spoke for his department, and testimony was heard from the appellant and from Dennis Shine. This appeal was continued one week for further preparation.

The following two appeals were heard together:

APPEAL NO. 8099

K. Fong Tom, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Disapp.) Denying appellant 12/28/77 permit to alter a building at 1637 Hyde Street.

APPEAL NO. 8100

K. Fong Tom, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Disapp.) Denying appellant 12/28/77 permit to alter a building at 1645 Hyde Street.

Daniel Sullivan and Inspector Raymond McDonnell spoke for their departments, and the appellant was represented by George Jeong. After considering all matters under appeal, the board voted unanimously in both cases to overrule, with stipulation that permit be granted for one additional unit in each of these buildings; no office space to be created, and off-street parking to be included for as many vehicles as possible within the provisions of the Planning Code.

There being no further business to come before the board, President Cerbatos announced adjournment at 11:35 p.m.

Agripino R. Cerbatos
President

Philip J. Higgins
Executive Director

MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

MONDAY, JANUARY 16, 1978

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A spe;cial meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 8:30 a.m. on Monday, January 16, 1978 at 1768 Haight Street.

Present were: President Agripino R. Cerbatos
Vice President David Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann

APPEAL NO. 8094

Arthur Griffo, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 12/13/77 permit as Second Hand Dealer at 1768 Haight Street.

The Commissioners inspected this site and its surroundings, and discussed the suitability of the premises for a second hand record shop, as well as the effe ct of such an establishment on the neighborhood.

This appeal will be on calendar for further hearing at the regular meeting on Wednesday, January 18, 1978.

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, JANUARY 18, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 6:30 p.m. on Wednesday, January 18, 1978 in Room 282 of City Hall.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann

Also present were Officer Michael Seybold of the Police Department, Captain William O'Brien of the Fire Department, Inspector Art Campos of the Department of Public Works, Daniel Sullivan of City Planning Department, and Doris Levine, the board's official hearing reporter.

Rehearings of Appeals 8078, 8101, 8087, and 8098 were denied for lack of a motion.

Upon motion of Commissioner Scott unanimously carried, the proposed budget for fiscal year 1978-1979 was adopted with modifications.

In further hearing of Appeal No. 8094, in which the board made a site inspection, Officer Michael Seybold was present for the Police Department. The appellant did not appear. In a unanimous vote, the board concurred in this denial.

Further hearing was held on Appeal 8103. Stanley Tick spoke for the appellant-protestants and attorney Martin H. Eber represented the fpermit holder. The board voted unanimously to overrule the granting of this renewal permit.

In further hearing of Appeal No. 8097, officer Michael Seybold testified for the Police Department, and Steven Block spoke for the appellant, who also appeared. With Commissioner Engmann voting to concur, this appeal was denied for lack of the required four overrule votes.

Appeal 8073 was on calendar for rehearing. Officer Seybold represented his department, and the appellant made a presentation. The board unanimously concurred in this denial.

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APPEAL NO. 8106

William W. Jones, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 12/22/77 permit for Place of Entertainment at 1015 Folsom Street.

Officer Michael Seybold spoke for the Police Department, and the appellant appeared in his own behalf. After considering all testimony, the board voted unanimously to overrule.

Further hearing was held in Appeal No. 8093. Inspector Art Campos read the letter of the Department of Public Works, Daniel Sullivan spoke for City Planning Department, and the appellant appeared. After discussion of all items under appeal, the board unanimously overruled with the following stipulations: (1) To resolve Items 45, 46, and 62 of Inspection Report, penthouse to be used for storage only, and sprinkler head to be provided; (2) Regarding Item 64: Handrail to be installed on side of stairway opposite apex of winders.

In further hearing of protest appeals 8096 and 8102, Daniel Sullivan participated in the discussion for City Planning Department, architect Jeno Lorencz and attorney Joseph D. O'Sullivan represented the permit holder, and the follwoing persons spoke in opposition to the permit: Madlyn Stein, Dr. Morley Singer, Albert Meakin, and attorney Ralph Kaufman. After hearing all arguments, the board voted unanimously in both appeals to overrule the granting of the permit.

APPEAL NO. 8117

1735 Pacific Associates, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellants 1/10/78 permit to alter a building at 1735 Pacific Avenue.

Inspector Art Campos read the letter from the Department of Public Works, and architect Harold K. Major spoke for the appellants. The board voted unanimously to overrule, with stipulation that sill be removed from entrance doorway to allow maximum height.

APPEAL NO. 8092

Melvin Mesquite, Appl. vs. S.F. Fire Dept., Resp. (S.F. Dept. of Public Works Disapp.)
Denying appellant 12/7/77 permit for Public Repair Garage at 272 Bayshore Boulevard.

Captain William O'Brien spoke for the Fire Department, Inspector Art Campos testified for the Department of Public Works, and the appellant appeared. After consideration of all matters under appeal, the board overruled unanimously, with intent that the proposal does not constitute a change of occupancy and seismic requirements therefore do not apply. The following stipulations were imposed: (1) Appellant to meet Fire Department requirements regarding removal of combustible materials; (2) Appellant to make application for building permit and meet electrical requirements.

One hearing was conducted for the following eight appeals:

APPEALS 8107 THROUGH 8114

Mullen-Holladay Neighbors, Appl. vs. S.F. Dept. of Public Works, Resp. Protesting issuance on 12/22/77 to Willfred, Inc., permits to erect structures at the following addresses:

Appeal 8107 - 393 Mullen Avenue
" 8108 - 387 Mullen Avenue
" 8109 - 381 Mullen Avenue
" 8110 - 375 Mullen Avenue
" 8111 - 278 Holladay Avenue
" 8112 - 272 Holladay Avenue
" 8113 - 266 Holladay Avenue
" 8114 - 260 Holladay Avenue

Robert Apton, Nellie Saunders, Andrew Musari, and Peter Hannis gave the neighborhood's grounds for these protests, and attorney James Johnson, Mr. Evans, Mr. Floyd, and Richard Alvarez spoke for the permit holder. A site inspection of the area was scheduled for Tuesday, January 24 at 8:30 a.m., and these appeals will be on calendar again at the next regular meeting.

APPEAL NO. 8115

Hyatt Regency Hotel, Appl. vs. S.F. Dept. of Public Works, Resp. Denying appellant 1/9/78 permit to alter a building at 5 Embarcadero Center.

Inspector Art Campos outlined this appeal, and Joseph Jans represented the appellant. This case was continued one week for a site inspection, to be held on Monday, January 23 at 8:30 p.m.

APPEAL NO. 8105

Curtis Kopecky, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Disapp.) Denying appellant 1/578 permit to construct a fence at 531-535 Page Street.

Daniel Sullivan presented the case for City Planning Department, and Charles Tabor represented the appellant. The board voted unanimously to overrule with the following stipulations: (1) 18-inch high foundation footing to be provided; (2) Fence to be of the same material, design and height as fence of adjoining property to the west.

APPEAL NO. 8116

Kurt Sipolski, Appl. vs. S.F. Zoning Administrator, Resp.
Appealing determination of the Zoning Administrator dated 12/15/77 regarding property at 544 Noe Street.

Commissioner Scott announced a possible conflict of interest. In accordance with Section 3.500 of the City Charter, a vote was taken, and the board members unanimously affirmed that Commissioner Scott should participate in this hearing and vote. Daniel Sullivan spoke for City Planning Department, and the appellant appeared in his own behalf. With Commissioner Engmann voting to concur, this appeal lacked the necessary four votes to overrule the department.

There being no further business to come before the board, President Cerbatos announced adjournment at 11:30 p.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

MONDAY, JANUARY 23, 1978

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A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 8:30 a.m. on Monday, January 23, 1978 at the Hyatt Regency Hotel, #5 Embarcadero Center.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann

APPEAL NO. 8115

Hyatt Regency Hotel, Appl. vs. S.F. Dept. of Public Works, Resp. Denying appellant 1/9/78 permit to alter a building at 5 Embarcadero Center.

The Commissioners inspected the portion of the building involved in this appeal, and discussed the ramps and other matters with the appellant's representative. The meeting was then adjourned.

Further hearing on this appeal will be held at the regular meeting on Wednesday, January 25, 1977.

Philip J. Siggins
Executive Director

MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, JANUARY 24, 1978

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A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 8:30 a.m. on Tuesday, January 24, 1978 on Mullen and Holladay Avenues in the Bernal Heights district.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann

APPEALS 8107 THROUGH 8114

Mullen-Holladay Neighbors, Appls. vs. S.F. Dept. of Public Works, Resp. Protesting issuance on 12/22/77 to Willfred, Inc., permits to erect structures at the following addresses:

Appeal 8107 - 393 Mullen Ave.
" 8108 - 387 Mullen Ave.
" 8109 - 381 Mullen Ave.
" 8110 - 375 Mullen Ave.
" 8111 - 278 Holladay Ave.
" 8112 - 272 Holladay Ave.
" 8113 - 266 Holladay Ave.
" 8114 - 260 Holladay Ave.

The Commissioners viewed these parcels and considered the probable effect of the eight proposed single family dwellings with regard to access of firefighting equipment, condition of streets, traffic and parking problems, and other matters.

These appeals will be on calendar for further hearing at the regular meeting on January 25, 1978.

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, JANUARY 25, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 6:30 p.m. on Wednesday, January 25, 1978 in City Hall, Room 282.

Present were: President Agripino R. Cerbatos
Vice President David W. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann

Also present were Inspector Raymond McDonnell of the Department of Public Works, Inspectors JSchwabacher and Hall of the Department of Public Health, Captain William O'Brien of the Fire Department, and Doris Levine, the board's official hearing reporter.

Rehearing of Appeal 8117 was denied for lack of a motion. Upon motion of Commissioner Engmann unanimously carried, the appellant's request for a rehearing of Appeal No. 8116 was granted.

After discussion of the Zoning Administrator's requests for rehearing of Appeals 8041 and 8050, Commissioner Jackson moved that a letter be directed to the Zoning Administrator responding to the points brought out in these requests, s[illegible] the motion was approved unanimously. Rehearings in these appeals were denied for lack of a motion.

Further hearing was held in Appeals 8107 through 8114 inclusive, in which the board had made a site inspection. Appearing in opposition to the permits were Andrew Husari, Roger Borgenicht, Burk Bagot, Brian McCaffrey, and Mrs. Hembon. Attorney James Johnson, Richard Alvarez, Eduardo Sandoval and engineer Carlos Delfino defended the permits. Captain William O'Brien of the Fire Department made a report. Upon motion of Commissioner Scott, unanimously carried, separate votes were taken on the Mullen Avenue parcels and the Holladay Avenue parcels. In Appeals 8107 through 8110 affecting the Mullen Avenue properties, Commissioners Scott and Engmann voted to overrule the granting of the permits. With the other two Commissioners voting to concur, these protests were denied for lack of the required four overrule votes. In Appeals 8111 through 8114 regarding the Holladay Avenue structures, the vote was 3 to 1 to concur in the granting of the permits, with Commissioner Engmann voting to overrule.

In further hearing of Appeal No. 8115, the board discussed the site inspection with architect Ed Lee and Donald DePorter, and heard further testimony from Captain William O'Brien of the Fire Department and Inspector Raymond McDonnell of the Department of Public Works. The board voted unanimously to overrule with the following stipulations: (1) Permanent doors meeting Fire Department requirements to be installed for all paths of egress from ramps; (2) Ramps to be provided with non-skid surfaces and handrails on both sides; (3) Toilet facilities for handicapped to be accessible on floor above, by means of elevator, door of which is equipped with suitable safety shoe; (4) Elevator buttons to be lowered so as to be accessible to persons in wheelchairs; (5) Telephone to be provided outside of elevator affording handicapped persons communication with nearby office for assistance with elevator when necessary.

APPEAL NO. 8118

Viroj Thanairongroj, Appl. vs. S.F. Dept. of Public Health, Resp.
Revocation on 1/12/78 of permit for Food Preparation and Service Establishment at 3036 - 16th Street.

Inspectors Schwabacher and Hall presented the case for the Health Department, and the appellant appeared with his attorney Lee Cooper. The board scheduled a site inspection for January 31 and 9:00 a.m. and continued this appeal to the February 15 meeting.

APPEAL NO. 8119

Helen B. Herleikson, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 1/12/78 permit to alter a building at 70 Caselli.

Inspector Raymond McDonnell outlined this appeal, and the appellant spoke in her own behalf. After considering all circumstances, the board voted unanimously to overrule.

APPEAL NO. 8120

Frances and Roger Remedios, Appls. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 1/4/78 to K. H. Anbjornson, permit to alter a building at 443 Melrose Avenue.

The appellants gave their grounds for this protest, and permit holder Karl Anbjornson and his contractor Mike Page appeared in defense of the

permit. After hearing all arguments, the board unanimously concurred in the granting of the permit, with stipulation that railing on deck not exceed 3 feet 6 inches, with no glass partition above.

The board members agreed to start their future meetings at 5:00 p.m. until further notice.

There being no other business to come before the Commission, President Cerbatos announced adjournment at 10:15 p.m.

Agripino R. Cerbatos
President

Philip J. Higgins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, JANUARY 31, 1978

A special meeting was held at 9:00 a.m. on Tuesday, January 31, 1978 at the T & M Restaurant, 3036 - 16th Street.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Douglas J. Engmann

Commissioner Mattie J. Jackson was out of the State at this time, but will inspect this site before the next scheduled hearing on the appeal in question.

APPEAL NO. 8118

Viroj Thanairongroj, Appl. vs. S.F. Dept. of Public Health, Resp.
Revocation on 1/12/78 of permit for Food Preparation and Service Establishment at 3036 - 16th Street.

Board members were shown all areas of this premises, and discussed the issues involved with the appellant, his attorney, and departmental representatives.

This appeal will again be on calendar at the regular meeting on February 15, 1978.

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, FEBRUARY 22, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 5:00 p.m. on Wednesday, February 22, 1978 in City Hall, Room 282.

Present were: President Agripino R. Cerbatos
Vice President David W. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

Also present were Inspector William Knoll of the Health Department, Officers Seybold and West of the Police Department, Inspector O. O'Reilly of the Department of Public Works, Daniel Sullivan of City Planning Department, and Captain James Calden of the Fire Department. The proceedings were recorded by Doris Levine, official board Hearing Reporter.

President Cerbatos welcomed new Commissioner Henry E. Berman to the board.

Rehearings of Appeals 8103, 8-96 and 8102 were denied for lack of a motion. Upon motion of Commissioner Engmann seconded by Commissioner Scott, rehearing of Appeals 8107 through 8114 was granted unanimously and scheduled for the next regular meeting.

Appeal No. 8144 has been continued to the next meeting with agreement of all interested persons.

In further hearing of Appeal No. 8118, Inspector William Knoll of the Health Department stated that violations had been corrected to the satisfaction of his department, and the board accordingly voted unanimously to overrule this revocation.

APPEAL NO. 8133

Sansome Street Associates, Appl. vs. S.F. Police Dept., Resp.
Protesting the granting on 1/27/78 to Emmanuel Papadopulos, dance permit for 45 Bay Street.

Officers Seybold and West spoke for the Police Department. Robin Corkery gave the appellants' grounds for this protest, and permit holder Emmanuel Papadopulos and his attorney George T. Choppelas defended the permit. The board voted unanimously to concur in the granting of this permit, with stipulation that the area of the premises for dancing be limited to that shown on Exhibit A filed at the office of the board, i.e. approximately 294 square feet.

APPEAL NO. 8139

Ronnie Alkana, Appl. vs. S.F. Police Dept., Resp.
Revocation on 2/2/78 of permit as Driver of Public Vehicle.

Officer Michael Seybold represented the Police Department, and the appellant spoke in his won behalf. The board unanimously overruled, with stipulation that when appellang again becomes available for work, permit is to be reinstated for 90 days duration, at which time it will be reviewed by the Police Department. At time of review, appellant to show evidence of having sought rehabilitation.

APPEAL NO. 8137

George B. Croal, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 1/11/78 to Guinnane Construction Company, permit to alter a building at 655 - 35th Avenue.

The appellant gave his grounds for this protest, permit holder Roy Guinnane appeared, and Inspector D. O'Reilly participated in the discussion. The board unanimously concurred in the granting of the permit.

APPEAL NO. 8123

Doggie Diner, Inc., Appl. vs. S.F. Dept. of Public Works, Resp. (City Plan'g Comm.)
Denying appellant 1/19/78 permit to erect a structure at 3070 - 16th Street.

Daniel Sullivan spoke for City Planning Department. Appearing in opposition to this permit were John Osmena, Ed Crocker, Thomas Mare, Jim Roarke, Dan Dossick, John Hoffman, and Ken Lavalle. Attorney Lucius Bernard, Marvin Mohn, and Richard Ablong represented the appellants. In a 2 to 3 vote with Commissioners Jackson and Berman voting to overrule, this appeal was denied.

APPEAL NO. 8140

Robert E. Walker, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 2/6/78 permit to alter a building at 2294 - 29th Avenue, and imposing penalty.

Inspector O'Reilly spoke for the Department of Public Works, Marilee McKean opposed the permit, and the appellant appeared. The board voted unanimously to concur in the denial of the permit, with provision that the penalty be cancelled.

APPEAL NO. V-8121

Donald C. Lundy, Appl. vs. S.F. Zoning Administrator, Resp.
Denying appellant 1/11/78 a variance for property at 2139 Pierce Street.

Danie. Sullivan presented the case for the Zoning Administrator, and the appellant testified. After hearing all facts, the board voted unanimously to overrule.

The following three appeals were heard together:

APPEAL NO. 8124

Parkmerced Management Corp., Appl. vs. S.F. Fire Dept., Resp. (City Pln'g Disapp.)
Denying appellant 1/11/78 permit for Public Storage Garage at 1 Felix Avenue.

APPEAL NO. 8125

Parkmerced Management Corp., Appl. vs. S.F. Fire Dept., Resp. (City Pln'g Disapp.)
Denying appellant 1/11/78 permit for Public Storage Garage at 45 Calindo Avenue.

APPEAL NO. 8126

Parkmerced Management Corp., Appl. vs. S.F. Fire Dept., Resp. (City Pln'g Disapp.)
Denying appellant 1/11/78 permit for Public Storage Garage at 410 Garces Drive.

Daniel Sullivan spoke for City Planning Department, Captain James Sulden spoke for the Fire Department, and Claude Scoville represented the appellants. In a 4 to 1 vote with Commissioner Engmann voting to concur, the board overruled with stipulation that sufficient parking be reserved to meet all requests of Parkmerced residents.

APPEAL NO. 8122

Robert Cameron, Appl. vs. S.F. Zoning Administrator, Resp.
Appealing determination of the Zoning Administrator dated 1/10/78 regarding property at 1999 Broadway.

Daniel Sullivan spoke for his department, and appellant Robert Cameron appeared. After considering all arguments, the board unanimously overruled.

APPEAL NO. V-8129

Alberta Barrier, Ray Barrier & John Burch, Appls. vs. S.F. Zoning Admin., Resp.
Denying appellants 1/19/78 a variance for property at 959 Noe Street.

Daniel Sullivan appeared for City Planning Department. Speaking for the variance were appellants Alberta Barrier and Ray Barrier, and Earl Moss of Victorian Alliance. In a unanimous vote, the board overruled the denial of this variance.

APPEAL NO. 8115

Alamo Square Association, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 1/30/78 to McNamara & Doherty, permit to erect a structure at 650 Steiner Street.

Peter Witmer and Donald Golas gave the grounds for this protest, and permit holder Mr. McNamara defended the permit. This appeal was continued one week for rvision of plans.

APPEAL NO. 8146

Marjorie Carrere, Appl. vs. U.S. Dept. of Public Works, Resp.
Protesting issuance on 2/3/78 to K. Omi, permit to alter a building at 1064 - 15th Avenue.

Mr. Carrere gave the grounds for the protest, and Mrs. Agnes O'Brien Smith also opposed the permit. Architect Harold Dow appeared on behalf of the permit holder. The board scheduled a site inspection for Friday, February 24 and will hold further hearing on March 1.

APPEAL NO. 8141

El Drisco Hotel, Appl. vs. U.S. Zoning Administrator, Resp.
Appealing determination of the Zoning Administrator dated 1/27/78 regarding property at 2901 Pacific Avenue.

Daniel Sullivan spoke for the Zoning Administrator. Attorney Steven Bley and his witness Sergeant Brown of the Police Department expressed neighborhood opposition. Appearing for the appellant were attorney Louis Yapp, Mr. Ellison, and Peter Economopulos. In a 3 to 2 vote with Commissioners Cerbatos and Jackson voting to overrule, the board concurred in this determination.

The board had before it letter of January 19, 1978 from attorney Robert L. Thorp regarding Appeal 8101. Rehearing of the appeal was unanimously granted.

Letter of February 8, 1978 from Burton S. Graham was considered by the board, and upon motion of Commissioner Scott it was agreed that an appeal could be filed beyond the ten days time.

Letter of December 30, 1977 from attorney Henry Shain regarding Appeal No. V-7363 was discussed, and the board directed that a letter be written concerning this appeal which is now in the courts.

There being no further business to come before the board, President Cerbatos announced adjournment at 12:10 a.m.

Agripino S. Cerbatos
President

Philip J. Higgins
Executive Director

MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

FRIDAY, FEBRUARY 24, 1978

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A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held on Friday, February 24, 1978 at 10:00 a.m. at 2064 - 15th Avenue.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

APPEAL No. 8146

Marjorie Carrere, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 2/3/78 to K. Omi, permit to alter a building at 2064 - 15th Avenue.

The Commissioners viewed the subject building and its surroundings, and evaluated the probable effect of the new construction on the neighboring properties.

After discussion with the appellant and others present, the meeting was adjourned. This appeal will be on calendar for further hearing at the next regular meeting on March 1, 1978.

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, MARCH 1, 1978

Minutes

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 5:00 p.m. on Wednesday, March 1, 1978 at Room 282 of City Hall.

Present were: President Agripino R. Cerbatos
Vice President David H. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry L. Berman

Also present were Division Chief John Mullin and Captain James Calden of the Fire Department, Robert Passmore and Daniel Sullivan of City Planning Department, Inspector C. O'Reilly of the Department of Public Works, Inspectors Wong and Chin of the Department of Public Health, and Officer Michael Fera of the Police Department. The proceedings were recorded by the board's official Hearing Reporter, Doris Levine.

Appeal No. 8149 has been continued one week at the request of the appellant's attorney and with agreement of the department concerned.

APPEAL NO. 8144

Bernard & Isabel Weiss, Appls. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 2/2/78 to Gary Carr, permit to alter a building at 348 Point Lobos.

Paul Weiss spoke for the appellants, giving grounds for this protest, and attorney Kamini Gupta and architect Lloyd Gartner represented the permit holder. After hearing all arguments, the board concurred unanimously in the granting of the permit, with stipulation that adequate clean-outs be provided for drain tiles.

In further hearing of Appeal 8145, the board heard testimony from permit holder McNamara, and from Peter Witmer representing the appellant-protestants. The board voted unanimously to concur in the granting of the permit, with stipulation that building be set back 5 feet 3 inches from the original plan, to amend plans as agreed with neighborhood, resulting in a rear yard 24 feet in depth.

Further hearing was held on Appeal No. 8146. Mr. Sahi and architect Harold C. Dow spoke for the permit holder, and John Carrere spoke for the appellant-protestant. After considering all circumstances, the board voted 4 to 1 to concur in the granting of the permit, with Commissioner Scott voting to overrule.

Appeals 8107 through 8114 were on calendar for rehearing. Division Chief John Mullin and Captain James Calden of the Fire Department testified. Speaking in opposition to the permits were Mrs. King, Mrs. Brown, Andrew Masari, Mrs. Saunders, Roger Borgenecht, and Chuck Turner. Attorney James Johnson and Richard Alvarez appeared for the permit holders. Robert Passmore of City Planning Department also spoke. Two votes were taken, one on the Mullen Avenue properties and the other for the Holladay Avenue parcels. Regarding the Mullen Avenue houses, the vote was 3 to 2 to concur in the granting of the fpermits, with Commissioners Scott and Engmann voting to overrule. A stipulation proposed in the concur votes did not receive the necessary four votes to change the original action of the department. Regarding the Holladay Avenue homes, the board concurred 4 to 1 in the granting of the permits with Commissioner Engmann voting to overrule.

APPEAL NO. 8130

Bela & Clara Weinberger, Appls. vs. S.F. Dept. of Public Health, Resp.
Appealing recommendation dated 1/17/78 to suspend or revoke permit for Food Preparation and Service Establishment at 11 Clement Street, and question of this board's jurisdiction.

After hearing from Inspector Albert Jhin of the Department of Public Health that no action has as yet been taken by the department to suspend or revoke the permit in question, the board ruled unanimously that jurisdiction does not exist, and dropped this appeal.

APPEAL NO. 8153

Golden Gate Boarders Club, Appl. vs. S.F. Dept. of Public Health, Resp.
Appealing ruling dated 2/9/78 to revoke permit to operate stable facilities adjacent to Lindley Meadow in Golden Gate Park, and question of this board's jurisdiction.

Inspector Wong of the Health Department spoke, and attorney Richard Hyman represented the appellants. This case was continued to March 22 pending a hearing of this matter before the Director of Public Health.

APPEAL NO. 8131

Hamid Ghasi, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 1/23/78 dance permit for 2990 Baker Street.

Officer Michael Sura spoke for the Police Department, and Paul Vagnick and Mrs. May Cantwell appeared in opposition to this permit. The appellant spoke in his own behalf. The board unanimously concurred in this denial.

APPEAL NO. 8136

Leslie G. Ipsen, Appl. vs. S.F. Police Dept., Resp. (City Planning Disapproval)
Denying appellant 2/2/78 permit as Second Hand Dealer (Books) at 444 Balboa Street.

Daniel Sullivan presented the case for City Planning Department, and the appellant spoke. After hearing the facts, the board voted unanimously to overrule, with stipulation that used items for sale be limited to books.

APPEAL NO. 8132

Jack Rauch, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Dept.)
Denying appellant 1/31/78 permit to alter a building at 3294 Clay Street.

Daniel Sullivan spoke for City Planning Department, Inspector G. O'Reilly appeared for the Department of Public Works, and Donald Geller and attorney George Choppelas represented the appellant. This appeal was continued one week for a site inspection to be held on Thursday, March 2 at 5:00 p.m.

Appeal No. 8116 was on calendar for rehearing. Daniel Sullivan testified for his department, and appellant Kurt Wipolski spoke. The board voted to overrule with stipulation that garage door be widened, maintaining existing door jamb, and overhead garage door be installed. Commissioner Scott abstained from voting.

APPEAL NO. 8135

Julio R. Sosa, Appl. vs. S.F. Dept. of Public Works, Resp.
Imposition on 1/31/78 of penalty for building work at 209 Bennington Street.

Inspector G. O'Reilly testified for the Department of Public Works, and the appellant appeared. The board unanimously overruled with stipulation that the penalty be adjusted to reflect the amount for work done without permit; total to be retained by department is to be $300 for both penalty and permit fee; balance to be refunded to appellant.

APPEAL NO. 8138

Marc D. Mezzetta, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 2/6/78 permit to alter a building at 3006-3008 Laguna Street.

Inspector O'Reilly spoke for his department, and the appellant appeared. The board overruled unanimously regarding the denial of the permit, and continued this appeal to March 15 for hearing regarding a penalty.

The appellant in Appeal No. 8142 was not present, and this matter was continued one week.

APPEAL NO. 8147

George & Alice Schmitt, Appls. vs. S.F. Dept. of Public Works, Resp.
Denying appellants 2/14/78 permit to alter a building at 3023-3023 Clement Street.

Inspector G. O'Reilly gave his report, and appellant George Schmitt spoke. After considering all testimony presented, the board voted unanimously to overrule.

APPEAL NO. 8148

Fortacio & Paula Valdenhueza, Appls. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 2/8/78 to Emilio & Helga Icabelceta, permit to alter a building at 224 Ellsworth Street.

Both appellants gave the grounds for this protest, and contractor James Sotomayer defended the permit on behalf of the permit holders. This case was continued one week for a site inspection by the Executive Director.

APPEAL NO. 8157

The Bookplate, Inc., Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 2/22/78 permit to alter a building at 2080 Chestnut Street.

Inspector O'Reilly spoke for the Department of Public Works, and contractor Bill Brainer represented the appellant. After hearing all facts, the board voted unanimously to overrule.

APPEAL NO. 8153

Orthodox Episcopal Church, Appl. vs. S.F. Police Dept., Resp. Protesting the granting on 2/14/78 to Stanton Kellman, cabaret permit for 1748 Haight Street, and use of existing dance permit beyond the hour of 2:00 a.m.

Reverend Ray Broshears gave the grounds for his protest, and Paula John, William J. Murphy, John Jones, Nan Lowenstein, and R. Dugan also opposed the permit. The permit holder spoke in his own behalf. In separate votes regarding the cabaret permit and the dance permit, the board overruled the granting of a cabaret license and use of the dance permit beyond 2:00 a.m. 4 to 1, with Commissioner Berman voting to concur in the department's action.

There being no further business to come before the board, President Cerbatos announced adjournment at 11:45 p.m.

Agripino R. Cerbatos
President

Philip J. Higgins
Executive Director

MAR 17 1978

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, MARCH 8, 1978

Minutes

The regular meeting of the Board of Permit sAppeals of the City and County of San Francisco was held at 5:00 p.m. on Wednesday, March 8, 1978 in City Hall, Room 282.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Henry E. Berman

Also present were Captain James Calden of the Fire Department, Inspectors Raymond McDonnell and G. O'Reilly of the Department of Public Works, Daniel Sullivan of City Planning Department, and Officers Seybold, Ogden, Pera, and West of the Police Department. The proceedings were recorded by the board's official hearing reporter, Doris Levine.

Appeal No. 8161 has been continued to March 15, and Appeal 8150 has been put over to March 22, upon agreement of all interested persons.

Commissioner Berman moved for rehearing of Appeal 8123, but as there was no second to the motion, rehearing was denied. Rehearing of Appeal 8141 was also denied, for lack of a motion.

The stipulation in Appeal No. 8140 was clarified to reflect the board's intent.

Letter dated March 2, 1978 from Judith D. Schiller regarding 1263-1265 Waller Street was before the board. After discussion with Larry Schiller and permit holder Michael Dotterweich, this matter was deferred for further consideration at the next meeting, if not resolved by that time.

APPEAL NO. 8156

Peter Karns, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 2/22/78 permit to alter a building at 1617 Church Street.

Inspector Raymond McDonnell appeared for the Department of Public Works, and the appellant spoke. After considering all circumstances, the board voted unanimously to overrule.

APPEAL NO. 8160

S.F. Redevelopment Agency, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 2/27/78 permit to alter a building at 1756-1758 Fillmore.

Inspector McDonnell read the letter from the Department of Public Works, and Frank Pizzinelli represented the appellant. The board overruled unanimously with stipulation that handrails either exist or will be provided on outer perimeter of stairway.

APPEAL NO. 8162

Burton E. Graham, Appl. vs. S.F. Dept. of Public Works, Resp.
Appealing for refund of penalty paid 1/18/78 for building work at 275 Clara Street.

Inspector Raymond McDonnell testified for his department, and the appellant appeared. The board voted unanimously to overrule, with stipulation that $422.00 be refunded to appellant.

In further hearing of Appeal No. 8148, the board heard from appellant-protestants Portacio and Paula Valdenhueza and from Jim Sotomayer, contractor representing the fpermit holder. At the conclusion of this hearing, the protest appeal was withdrawn by the appellants.

APPEAL NO. 8152

Bernice M. Strube, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 2/9/78 permit to alter a building at 830 - 32nd Avenue.

Inspector McDonnell outlined this appeal, and the appellant spoke in her own behalf. After considering all matters under appeal, the board overruled unanimously with stipulations as follows: (1) Ground floor to be completely sprinklered; (2) Floor plan of ground floor to be submitted to Department of Public Works.

APPEAL NO. 8142

Nabeeh Mogannam, Appl. vs. S.F. Dept. of Public Works, Resp. (City Pln'g Disapp.)
Denying appellant 2/6/78 permit to alter a building at 45-47 Ashbury Street.

Daniel Sullivan of City Planning Department presented his case, and Inspector Raymond McDonnell spoke for the Department of Public Works. The appellant then testified. After considering all items appealed, the board voted unanimously to overrule with the following stipulations: (Ground floor room not to be rented as a separate dwelling unit; no cooking facilities to be contained therein; (2) The board's Notice of Decision and Order to be recorded by appellant, and recorder's receipt delivered to the office of the

board; (3) Handrail to be provided as required by Department of Public Works in Item 16 of DAHI report; (4) Ground floor room to have ceiling height of 7 feet 6 inches per Item 62 of DAHI report.

APPEAL NO. 8158

Mary Anne Swinney, Appl. vs. S.F. Police Dept., Resp.
Revocation on 2/14/78 of Peddler's Permit.

Officers Seybold and Ogden of the Police Department spoke, and the appellant appeared. After hearing all testimony, the board unanimously overruled this revocation.

APPEAL NO. 8149

Gary Del Grande, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 2/9/78 permit for Mechanical Amusement Devices at 401 Eddy.

Officer Michael Pera represented the Police Department, and Vincent Kircher opposed this permit. The appellant appeared with his attorney Lawrence Strobel. With Commissioner Scott voting to concur, this appeal was denied for lack of the required four overrule votes. Since the vote of the absent Commissioner might have affected the outcome, rehearing was automatically granted, to be held before the full five-member board.

Appeal 8101 was on calendar for rehearing. Officers Seybold and West spoke for the Police Department, and Bernard Averbuch appeared in opposition to the permit. Attorney Robert Thorpe spoke for the appellant, who was also present. In a 3 to 1 vote with Commissioner Carbatos voting to overrule, this appeal was denied.

Further hearing was held in Appeal No. 8132. The site inspection was discussed with Daniel Sullivan of City Planning Department and George Choppelas, attorney for the appellant. Inspector McDonnell participated in the hearing. The board voted unanimously to overrule, with stipulation that requirements of Department of Public Works be met.

APPEAL NO. 8151

Jimmy Wong, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Disapp.)
Denying appellant 2/8/78 permit to alter a building at 1694 - 28th Avenue.

Daniel Sullivan reported for his department, and appellant Regina Wong and her tenant Theo Eggert appeared. A site inspection of the apartment in question was scheduled for Tuesday, March 14 at 12:00 noon, and further hearing in this appeal will be held at the next regular meeting.

APPEAL NO. 8163

Tim Dawson, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Disapp.) Denying appellant 2/14/78 permit to alter a building at 2264-2266 Green Street.

Daniel Sullivan presented testimony for his department, and architect John Belz represented the appellant. This matter was continued so that appellant's representative may confer with City Planning Department.

APPEAL NO. 8159

Louis Chausse, Appl. vs. S.F. Dept. of Public Works, Resp. Protesting issuance on 1/9/78 to Mr. & Mrs. Leaper, permit to alter a building at 445 Collingwood Street, and question of this board's jurisdiction.

Appearing in opposition to this permit were appellant-protestants Mr. and Mrs. Louis Chausse, Adelaide Gorman, and Paul Cohen. The permit holder and his architect Robert Simpson defended the permit. After hearing all arguments, the board concurred unanimously in the granting of this permit, with stipulation that a deed restriction be recorded by the permit holder attesting that no structure will encroach into the 15-foot easement area described in the board's Notice of Decision and Order.

There being no further business to come before the board, President Cerbatos announced adjournment at 11:10 p.m.

Agripino R. Cerbatos
President

Philip J. Higgins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, MARCH 14, 1978

A special meeting of the Board of Permit Appeals was held on Tuesday, March 14, 1978 at 12:00 noon at 1694 - 28th Avenue.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

APPEAL NO. 8151

Jimmy Wong, Appl. vs. S.F. Dept. of Public Works, Resp. (City Plng. Disapp.) Denying appellant 2/8/78 permit to alter a building at 1694 - 28th Avenue.

The Commissioners viewed the ground floor apartment in question, and discussed the probable length of its existence and other matters with the appellant. The meeting was then adjourned.

This appeal is scheduled for further hearing at the regular meeting on Wednesday, March 15, 1978.

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, MARCH 15, 1978

The regular meeting of the Board of Permit Appeals was called to order at 5:00 p.m. on Wednesday, March 15, 1978 in Room 282, City Hall.

Present were: President Agripino B. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

Also present were Inspectors Raymond McDonnell and G. O'Reilly of the Department of Public Works, Captain Calden of the Fire Department, Martin Greenlaw of Recreation and Park Department, and Daniel Sullivan of City Planning Department. The following representatives of the Police Department were present: Officers Seybold, Murray, Duane, Anderson, Bowman, and Pera. The proceedings were recorded by the board's official hearing reporter, Doris Levine.

Rehearings of Appeals 8124, 8125, and 8126 were denied for lack of a motion. As there was no second to Commissioner Berman's motion for rehearing of Appeal No. 8155, this request was also denied. By a 4 to 1 vote in response to Commissioner Scott's motion, rehearing was granted in Appeal 8146, with Commissioner Jackson voting against the motion. Rehearing was set for the next regular meeting on March 22.

Letter dated March 10, 1978 from Mrs. B. Lucas regarding the property at 619-621 Rhode Island Street was discussed by the board, then put over to the next meeting in order that all interested persons may be notified to appear.

In further hearing concerning Appeal No. 8138, Inspector Raymond McDonnell read the letter from the Department of Public Works regarding the penalty, and the appellant appeared. The board voted unanimously to overrule.

APPEAL NO. 8165

Joseph B. Mucelli, Appl. vs. S.F. Dept. of Public Works, Resp.
Imposition on 3/6/78 of penalty for building work at 560 - 47th Avenue.

Inspector Raymond McDonnell spoke for the Department of Public Works, and the appellant testified in his own behalf. After considering all circumstances, the board unanimously overruled.

APPEAL NO. 8161

Violet Applegate, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 2/16/78 permit for driverless auto rental at 435 Taylor Street.

Officers Seybold, Murray, and Duane presented the case for the Police Department, and the appellant was represented by attorney Mark Schickman. Mrs. Richard Olness opposed the permit. The board unanimously concurred in this denial.

APPEAL NO. 8167

Theresa Batchelor, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 3/3/78 permit for mechanical amusement devices at 870 Valencia.

Officers Seybold and Anderson of the Police Department and Martin Greenlaw of Recreation and Park Department spoke, and James Keefer, Carl Brown, and Kurt Feibusch expressed neighborhood opposition. The appellant appeared in her own behalf. The board voted unanimously to concur in the denial of the permit.

APPEAL NO. 8166

John H. Dean, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 2/24/78 renewal of tow car operator permit at 1600 Mission.

Officers Seybold, Duane, and Bowman spoke for their department, and the appellant appeared with his attorney John Birenbaum. The board overruled unanimously with stipulation that while working for his father William Dean, appellant will not engage in the towing of vehicles parked on private property, at the request of the owners of said property.

Appeal No. 8149 was on calendar for rehearing. Officer Michael Pera spoke for the Police Department. Jim Patten, Evan White and others were present to oppose this permit. The appellant appeared with his attorney Lloyd J. Strobel. With Commissioners Scott and Engmann voting to concur, this appeal was denied for lack of the required four overrule votes.

APPEAL NO. 8164

Harry C. Rogers, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 3/6/78 permit to alter a building at 126 Post Street, and imposing a penalty.

Inspector Raymond McDonnell outlined this appeal, and the appellant presented his case. After considering all matters under appeal, the board voted

unanimously to overrule regarding both the permit and the penalty, with stipulation that door at stair landing swing inward, away from landing.

In further hearing of Appeal 8151 the site inspection was discussed with Daniel Sullivan of City Planning Department and appellant Regina Wong. The board voted 4 to 1 to overrule, with Commissioner Engmann voting to concur.

APPEAL NO. V-8137

Robert W. Bartlett II, Appl. vs. S.F. Zoning Administrator, Resp.
Denying appellant 2/2/78 a variance for property at 2416 Geary Boulevard.

Daniel Sullivan appeared for the Zoning Administrator, and the appellant spoke. This appeal was continued one week so that the appellant may seek to rent nearby garage space.

There being no further business to come before the board, President Cerbatos announced adjournment at 9:24 p.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, MARCH 22, 1978

= Minutes

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 5:00 p.m. on Wednesday, March 22, 1978 in Room 282 of City Hall.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

Also present were Lieutenant O'Brien of the Fire Department, Officer Michael Seybold of the Police Department, Daniel Sullivan of City Planning Department, Inspector Schwabacher of the Department of Public Health, Dick Dennin of Recreation and Park Department, and Inspector Raymond McDonnell of the Department of Public Works. The proceedings were recorded by the board's official hearing reporter Doris Levine.

Rehearings of Appeals 8116, 8152 and 8167 were denied for lack of a motion.

Letter dated March 10, 1978 from Mrs. B. Lucas regarding property at 619-621 Rhode Island Street was before the board. Based upon information from Daniel Sullivan and Central Permit Bureau, no motion was made to assume jurisdiction of a protest appeal beyond the ten days.

Letter from attorney David Rudy on behalf of Mr. and Mrs. Dan Buster was considered by the board. After hearing testimony from Mr. Rudy, Commissioner Berman's motion to accept a protest appeal was unanimously approved.

Appeal No. 7815, remanded from Superior Court, was before the board for consideration of new evidence. After hearing from permit holder Sal Salas and his attorney James J. Reilly, appellant-protestant Myra Wolf, and Inspector Raymond McDonnell of the Bureau of Building Inspection, a vote was taken on the question of whether to remove the stipulation the board placed on the permit in its original ruling. The vote was 2 to 2, with Commissioner Jackson absent during this hearing.

APPEAL NO. 8172

Donald J. Peterson, Appl. vs. S.F. Dept. of Public Works, Resp.
Imposition on 3/9/78 of plumbing penalty for work at 349 Lyon Street.

Inspector McDonnell read the letter from the Department of Public Works, and the appellant spoke. The board voted unanimously to overrule, with stipulation that appellant pay a total of $55.30 covering both permit fee and penalty.

APPEAL NO. 8168

Norman & Margrit Hall, Appls. vs. S.F. Dept. of Public Works, Resp.
Denying appellants 3/8/78 permit to alter a building at 1006-1010 Masonic Avenue.

Inspector McDonnell spoke for his department, and appellant Norman Hall appeared. The board overruled unanimously with stipulation that front stairway be provided with additional handrail extending to within three steps of the top of the stairs, and vertical handrail fastened to column. It was the board's intent that no handrail be installed for basement stairs.

APPEAL NO. 8153

Golden Gate Boarders Club, Appl. vs. S.F. Dept. of Public Health, Resp.
Appealing ruling dated 2/9/78 to revoke permit for stable facilities adjacent to Lindley Meadow in Golden Gate Park, and question of this board's jurisdiction.

Inspector Schwabacher of the Department of Public Health and Rick Dennin of Recreation and Park Department appeared. Representatives of the appellant were also present. It was the board's decision to drop this appeal for lack of jurisdiction, inasmuch as the permit has not yet been formally revoked.

In further hearing of Appeal No. V-8137, Daniel Sullivan spoke for the Zoning Administrator, and appellant Robert Bartlett appeared with his witnesses Mr. Reed and Cathy Sanchez. The board voted 4 to 1 to overrule with stipulation that appellant lease off-street parking space at 1040 Broderick Street. Commissioner Engmann voted to concur.

In further hearing of Appeal No. 8163, modified plans were presented by architect John Belz to meet Planning Code requirements, and Daniel Sullivan spoke. The board overruled unanimously with stipulations as follows: (1) Design to conform to modified plans presented to the board at this meeting; (2) Notice of Special Restriction to be recorded affirming that basement space will not be used as a separate dwelling unit.

APPEAL NO. 8170

Dennis C. Kim, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 3/3/78 permit as driver of public vehicle.

Officer Michael Seybold spoke for the Police Department, and the appellant appeared in his own behalf. With Commissioner Berman voting to concur, the board ruled 4 to 1 to grant the permit, with stipulation that permit be for six months duration, at which time it will be reviewed by the Police Department.

Appeal No. 8146 was on calendar for rehearing. Bowman Fisher and Mrs. Agnes O'Brien Smith appeared in opposition to the permit, and architect Harold Dey defended the permit on behalf of the owner. The board voted unanimously to concur in the granting of the permit, with the following stipulations: (1) Front access to new addition to be removed; (2) Social room shown on drawings to be set back to align with face of existing stairway shown on plans; (3) Proposed front door in lower level of living to be omitted.

APPEAL NO. 8169

K. Schechter et al, Appls. vs. S.F. Dept. of Public Works, Resp.
Denying appellants 3/13/78 permit to alter a building at 2269 Washington Street.

Inspector McDonnell spoke for the Department of Public Works, Lieutenant O'Brien appeared for the Fire Department, and Richard Garlinghouse and Jane Murphy represented the neighborhood. Testifying for the appellants were Bill Brunhof and Alan Mayer. The board scheduled a site inspection for Tuesday, March 28 and continued this matter to the next regular meeting.

APPEAL NO. 8171

Bruno Morelli, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting the issuance on 3/13/78 to Tsi Wong, permit to construct a fence at 1731 Vallejo Street.

The appellant gave his grounds for this protest, and the permit holder defended his proposal. In a 4 to 1 vote with Commissioner Engmann voting to overrule, the board upheld the granting of the permit.

APPEAL NO. 8150

U-Haul, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Dept. Disapp.) Denying appellant 2/17/78 permit to alter a building at 400 Paul Avenue.

Daniel Sullivan presented the case for City Planning Department, Inspector Raymond McDonnell participated in the discussion, and Gary Kidwell represented the appellant. With Commissioners Scott and Engmann voting to concur, this appeal was denied for lack of the required four overrule votes.

APPEAL NO. 8173

Guy Healey, Appl. vs. S.F. Dept. of Public Works, Resp. (Fire Dept. Disapproval) Denying appellant 3/13/78 permit to alter a building at 984 Harrison Street.

Inspector McDonnell outlined this appeal, and Lieutenant O'Brien spoke for the Fire Department. Contractor Frank Myers represented the appellant. After hearing all facts, the board voted unanimously to overrule.

There being no further business to come before the board, President Cerbatos announced adjournment at 10:45 p.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, MARCH 28, 1978

A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held on Tuesday, March 28, 1978 at 9:00 a.m. at 2269 Washington Street.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry Berman

APPEAL NO. 8169

K. Schechter et al, Appls. vs. S.F. Dept. of Public Works, Resp. Denying appellants 3/13/78 permit to alter a building at 2269 Washington Street.

The Commissioners were shown this building, and discussed the code requirements under appeal. The meeting was then adjourned.

Further hearing on this case will be held at the next regular meeting on Wednesday, April 5, 1978.

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, APRIL 5, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 5:00 p.m. on Wednesday, April 5, 1978 in City Hall, Room 282.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry W. Berman

Also present were Nancy Gin and Daniel Sullivan of City Planning Department, Captain Russ McKlem of the Fire Department, Officer Michael Seybold of the Police Department, Inspector Gary O'Reilly of the Department of Public Works, and the board's official hearing reporter Doris Levine.

Rehearings of Appeals 8156 and 8173 were denied for lack of a motion. Upon motion of Commissioner Berman unanimously carried, rehearing was granted in Appeal No. 8150. Commissioner Engmann's motion for rehearing of Appeal 8132 was unanimously approved. Both rehearings were scheduled for the April 12 meeting.

Appeal 8183 has been continued to April 19 at the request of the permit holder and with agreement of all concerned.

APPEAL NO. 8178

Robert Blyberg, Appl. vs. S.F. Dept. of Public Works, Resp.
Appealing for refund of penalty for building work at 3305-3309 Mission Street.

Inspector Gary O'Reilly spoke for the Department of Public Works, and the appellant appeared. After hearing all facts, the board unanimously overruled.

APPEAL NO. 8181

Wing Wah Jang, Appl. vs. S.F. Dept. of Public Works, Resp.
Imposition on 3/21/78 of plumbing penalty for work at 633-637 Capp Street.

Inspector O'Reilly testified for his department, and the appellant spoke. The board voted unanimously to concur in the imposition of this penalty.

Appeal No. 8174 was continued to the next meeting, as the appellant was not present when this case was called.

APPEAL NO. 8176

William Walston, Appl. vs. S.F. Dept. of Public Works, Resp. (Fire Dept. Disapp.) Denying appellant 3/17/78 permit to alter a building at 740 Rhode Island Street.

Captain Russ McKlem of the Fire Department spoke regarding this appeal, and the appellant testified. After considering all circumstances, the board voted unanimously to overrule.

APPEAL NO. 8179

McLaren East Home Owners Assoc., Appl. vs. S.F. Dept. of Public Works, Resp. Protesting issuance on 3/10/78 to Omar Construction Co., permit to erect a structure at 1071 Girard.

?Ardeath Nichols gave the appellants' grounds for this protest, and permit holder Omar Saleh defended the permit. The board voted unanimously to concur in the granting of this permit, with stipulation that only two garage doors be provided, one 15 feet in width and one 8 feet in width.

APPEAL NO. 8184

Dan Buster, Appl. vs. S.F. Dept. of Public Works, Resp. Protesting issuance on 1/3/78 to Albert Ross, permit to alter a building at 3434 Fulton Street.

Attorney David ?. Rudy and appellant-protestant Dan Buster gave the grounds for this protest, and Albert, Anne and Ronald Ross defended the permit. With only Commissioners Engmann and Berman voting to overrule, this protest lacked the necessary four overrule votes to overturn the granting of the permit.

Appeal 7815, on remand from Superior Court, was on calendar for further consideration. After discussion with attorney James J. Reilly representing the permit holder, the board voted on the intent of granting the permit, concurring unanimously and amending their previous order in which a stipulation was imposed to the granting of the permit with no stipulation attached.

In further hearing of Appeal 8169, the site inspection was discussed with Daniel Sullivan of City Planning Department, Captain Russ McKlem of the Fire Department, and Inspector O'Reilly of the Bureau of Building Inspection. Testimony was received from Alan Seher and Warren Mohr on behalf of the permit, and from Ron Arliss, Adeline Field, and William Boardman opposing the permit. This matter was continued two weeks in anticipation of a revocation of the previous permit now in effect for this premises.

APPEAL NO. 8177

Maria & Elias Bencomo, Appls. vs. S.F. Dept. of Public Works, Resp. (City Planning) Denying appellant 3/3/78 permit to alter a building at 149 Lawrence.

Nancy Gin and Daniel Sullivan spoke for City Planning Department, Inspector O'Reilly participated in the testimony, and the appellant was present with her attorney Charles Morgan. The board scheduled a site inspection for Friday, April 7 at 9:00 a.m. and continued this case one week.

APPEAL NO. 8180

Richard C. Copes, Appl. vs. S.F. Zoning Administrator, Resp.
Appealing determination of the Zoning Administrator dated 3/16/78 regarding the property at 612 Fillmore Street.

Daniel Sullivan appeared for the Zoning Administrator, and the appellant spoke. After hearing all facts, the board voted unanimously to overrule.

APPEAL NO. 8185

Frank Panacci, Appl. vs. S.F. Dept. of Public Works, Resp. (City Pln'g Dept. Disapp.) Denying appellant 3/27/78 permit to alter a building at 119 Riverton Drive.

Daniel Sullivan presented the case for his department, and the appellant appeared with his contractor and Mrs. Majors in support of the appeal. After considering all testimony presented, the board unanimously overruled.

APPEAL NO. 8182

Henry Rabbit, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Dept.) Suspension on 3/17/78 of permit to erect a structure at 442 Lawton Street

Daniel Sullivan outlined this appeal, and Michael Rabbit and Mr. Quinn appeared for the appellant. John ?Nardis of Inner Sunset Action Committee also spoke. After consideration of all circumstances, the board voted unanimously to overrule.

APPEAL NO. 8175

Douglas Kirk, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 3/8/78 to James Murphy, permit to alter a building at 928 Geary Street.

Attorney James P. Murphy appeared for the protestant-appellant, and the permit holder was represented by attorney Harry K. Wolf, Jr. Inspector O'Reilly gave information regarding code requirements. The board voted unanimously to concur in the granting of this permit.

There being no further business, the meeting was adjourned at 11:20 p.m.

Agripino R. Cerbatos, President

Philip J. Higgins Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

FRIDAY, APRIL 7, 1978

A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held on Friday, April 7, 1978 at 9:00 a.m. at 169 Lawrence.

Present were: President Agripino R. Cerbatos
Vice President David Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

APPEAL NO. 8177

Maria & Elias Bencomo, Appls. vs. S.F. Dept. of Public Works, Resp.
City Planning Dept. Disapproval

Denying appellants 3/3/78 permit to alter a building at 149 Lawrence.

The Commissioners were shown through this structure, and gave attention to features of design that would indicate the age of the dwelling units. The meeting was then adjourned.

Further hearing on this appeal will be held at the regular meeting on Wednesday, April 12, 1978.

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, APRIL 12, 1978

78

Minutes

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 5:00 p.m. on Wednesday, April 12, 1978 in Room 282 of City Hall.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

Also present were Inspector Raymond McDonnell of the Department of Public Works, Daniel Sullivan of City Planning Department, Lieutenant Russ McKlem of the Fire Department, and Officer Michael Seybold of the Police Department. The proceedings were recorded by the board's official hearing reporter, Doris Levine.

Rehearing of Appeal No. V-8137 was denied for lack of a motion.

Appeal No. 8177 has been continued to the next meeting at the request of the appellant's attorney and with agreement of both departments concerned.

APPEAL NO. 8174

Stephanie Hagiya, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 3/3/78 peddler's permit to sell pretzels from cart at northwest corner of Post and Stockton.

Officer Michael Seybold spoke for the Police Department, Robert Pasquinelli, Kim Punjabi and Carlo Rossi opposed the permit, and the appellant appeared in her own behalf. Commissioner Jackson was absent during this vote. With Commissioner Berman voting to concur, this appeal lacked the necessary four overrule votes. Because the vote of the absent Commissioner might have affected the outcome, a rehearing was automatically granted, and scheduled for the next meeting.

APPEAL NOL 8187

Norther California Coalition For Handgun Control, Appl. vs. S.F. Police Dept., Resp.
Protesting the granting on 3/21/78 to Stephen Lombardi, permit as retail dealer in firearms at 152 Clement Street.

After discussion with Officer Michael Seybold, appellants' representative Stanley Tick, and permit holder Stephen Lombardi, this appeal was put over to May 3 pending a ruling in the case now before the court.

APPEAL NO. 8186

Geoff Properties, Appl. vs. S.F. Dept. of Public Works, Resp. (Fire Dept. Disapp.)
Denying appellant 3/30/78 permit to alter a building at 2029 Pierce Street.

Inspector Raymond McDonnell read the letter from the Department of Public Works, and architect Paul Rotter represented the appellant. The board voted unanimously to overrule with stipulation that handrail be provided at outer perimeter of stairway.

APPEAL NO. 8189

Ellen Jean Wetch, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 4/5/78 permit to alter a building at 199 Chestnut Street.

Inspector McDonnell outlined this appeal, and Elaine Pevey spoke for the appellant, who was also present. After hearing all facts, the board unanimously overruled.

APPEAL NO. 8188

Ben Wooster, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 3/31/78 permit to alter a building at 840 Cole Street.

Inspector Raymond McDonnell spoke for the Department of Public Works, and the appellant testified. The board voted unanimously to overrule with stipulation that appellant repair plaster ceiling to meet the intent of the code.

In further hearing of Appeal 8150, the board heard from Daniel Sullivan and appellant's representatives Jim Ginter and Gary Widwell; this matter was continued two weeks for submission of drawings required by City Planning Department.

Appeal No. 8132 was on calendar for rehearing. Daniel Sullivan spoke for City Planning Department, and attorney George T. Choppelas, architect Lloyd Gartner, and the appellant spoke. This matter was continued two weeks in order that other witnesses may appear.

There being no further business to come before the board, President Cerbatos announced adjournment at 7:05 p.m.

Agripino R. Cerbatos
President

Philip J. Higgins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, APRIL 19, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 6:00 p.m. on Wednesday, April 19, 1978 in Room 282 of City Hall.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

Also present were Inspector Raymond McDonnell of the Department of Public Works, Officers Seybold and Busalacchi of the Police Department, Daniel Sullivan and Nancy Gin of City Planning Department, Captain Russ McKlem of the Fire Department, and the board's official hearing reporter Doris Levine.

Upon motion of Commissioner Berman unanimously carried, rehearing was granted in Appeal 8184 and scheduled for May 17.

APPEAL NO. 8192

B. Chommanard, Appl. vs. S.F. Dept. of Public Works, Resp.
Appealing for refund of penalty for building work at 1420 Irving Street.

Inspector Raymond McDonnell read the letter from the Department of Public Works, and the appellant spoke. The board voted unanimously to overrule.

APPEAL NO. 8183

Northern California Coalition For Handgun Control, Appl. vs. S.F. Police Dept.
Protesting the granting on 3/14/78 to James Lowery, permit as retail dealer in firearms at 611 Barnevald Avenue.

Officers Seybold and Busalacchi represented the Police Department, Stanley Tick spoke for the protesting organization, and attorney Wayne Collins appeared for the permit holder, who was also present. The board voted 3 to 1 to overrule the granting of this renewal permit, with Commissioner Berman voting to concur. Because Commissioner Jackson was absent durinng this vote, and the vote of the absent Commissioner could have affected the outcome, rehearing was granted automatically and scheduled for the May 10 meeting upon agreement of all interested persons present.

APPEAL NO. 8191

Marcia Lee Madosh, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 3/24/78 outcall massage permit.

Officers Seybold and Busalacchi spoke for the Police Department, and the appellant appeared with her attorney David S. Levinson. After hearing the facts, the board voted unanimously to overrule with stipulation that permit be granted for 90 days duration, after which time it would be reviewed by the Police Department for renewal.

Appeal No. 8174 was on calendar for rehearing. Officer Michael Seybold spoke for the Police Department, Robert Pasquinelli opposed the permit, and the appellant appeared in her own behalf. The board voted 4 to 1 to overrule with stipulation that cart is to be placed within the red zone between the light standard and the point where red zone meets white zone on Post Street. Commissioner Berman voted to concur in the denial of the permit.

APPEAL NO. 8193

C. V. Conciatore, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 4/12/78 permit to alter a building at 1925-1927 Grant Avenue.

Inspector McDonnell outlined this appeal, and Edmund DeMartini represented the appellant. The board voted unanimously to overrule with a provision that one-hour fire resistive construction throughout would not be required provided that Department of Public Works can establish existence of the units since 1947 from affidavits attached to the previous application. Otherwise the department may request a rehearing.

APPEAL NO. 8190

Stanley Pareto & Dan Sinclair, Appls. vs. S.F. Dept. of Public Works, Resp.
(City Planning Dept.)
Denying appellants 4/5/78 permit to alter a building at 180 Corwin Street.

Daniel Sullivan presented the case for City Planning Department Inspector Raymond McDonnell spoke for the Department of Public Works, and appellant Stanley Pareto testified. The board voted unanimously to overrule with stipulations as follows: (1) This permit will legalize six dwelling units; (2) Lowest level of occupancy to be used as an integral part of the unit immediately above; (3) All kitchen facilities and cooking facilities to be removed from lowest level of occupancy; (4) Door from lowest level of occupancy to be equipped with panic hardware; (5) Sprinklering to be provided to comply with code standards; one separate water service to cover all sprinklering in building; (6) Smoke detectors

to be provided in all habitable areas as per code; (7) Fire alarm boxes to be installed on each floor of occupancy, each box of which activates alarm bells throughout the building.

In further hearing of Appeal No. 8169, Daniel Sullivan, Inspector Raymond McDonnell, and Captain Russ McKlem spoke for their departments, Ann Blumfield and Richard Darlinghouse opposed the permit, and Alan Seher represented the appellants. The board voted unanimously to concur in this denial.

Appeal No. 8177 was on calendar for further hearing. Nancy Gin presented the case for City Planning Department, Daniel Sullivan participated in the discussion, and Inspector Raymond McDonnell spoke for the Department of Public Works. The appellant was present with her representatives, attorney Charles Morgan and Stanley Pond. After hearing all testimony, the board unanimously overruled with intent to legalize building as a two-family dwelling containing two guest rooms with cooking, and made the following stipulations: Item 12 of DAHI Report: Application No. 467974 to be amended to show the building's status as an "I" occupancy; Item 16: Side exterior stairs to be closed off; handrails to be provided for both sides of front exterior stairway; Item 27: Additional means of egress to be provided from top floor; Item 39: Appellant to comply with Item 39 regarding waterproofing of bathroom floor; Item 40: Fan systems to be provided for ventilation in water closets; Item 42: Legal heat to be provided as required by Housing Code; Railing to be provided around veranda at the level above garage; Top floor closet to be closed off from hallway and made a part of one of the units on that floor; Item 62: Small room on first floor of living to be used only for storage and not as a habitable room; All requirements of Plumbing Report to be met; All requirements of Electrical Code to be met regarding wiring on top floor and any other deficiencies noted by inspector, including electrical cooking facilities to be installed.

The board approved a suggestion that a letter be drafted regarding unpublished decision in Superior Court case No. 705-584 concerning Appeal 7103.

There being no further business to come before the board, President Cerbatos announced adjournment at 11:00 p.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, MAY 3, 1978

MAY 22 1978

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The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 5:00 p.m. on Wednesday, May 3, 1978 in City Hall, Room 282.

Present were: President Agripino R. Cerbatos
Vice President David E. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

Also present were Inspector Al Chin of the Department of Public Health, Daniel Sullivan and Nancy Gin of City Planning Department, Captain Russ McKlem of the Fire Department, Officer Michael Seybold of the Police Department, and Inspector Gary O'Reilly of the Department of Public Works. The proceedings were recorded by the board's official hearing reporter, Doris Levine.

Letter dated April 26, 1978 from Mr. and Mrs. Anthony Pardilla was before the board, seeking to file protest appeals beyond the ten days regarding five new structures on Folsom Street. Mr. and Mrs. Pardilla were not present, and the permit holder could not be reached. Since the site had been posted as required, Commissioner Scott's motion failed to receive the four votes necessary to affect the permits.

Letter of April 24, 1978 was before the board, from Ronald Ross, permit holder in Appeal 8184 scheduled for rehearing on May 17. No motion was made to grant Mr. Ross's request for a site inspection.

APPEAL NO. 8197

Randall Nathan, Appl. vs. S.F. Dept. of Public Works, Resp.
Appealing for refund of penalty for building work at 240 Francisco Street.

Inspector Gary O'Reilly spoke for the Department of Public Works, and the appellant appeared. After hearing the facts, the board unanimously overruled.

APPEAL NO. 8198

Atsuni & Pamela Kambayashi, Appls. vs. S.F. Dept. of Public Works, Resp.
Imposition on 4/17/78 of penalty for building work at 74 Brighton Avenue.

Inspector O'Reilly spoke for his department, and appellant Pamela Kambayashi testified. The board overruled unanimously, and agreed that a letter be directed to the City Attorney regarding the two-times mandatory penalty in this type of situation.

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APPEAL NO. 8204

Servosmax, Inc., Appl. vs. S.F. Dept. of Public Health, Resp.
Denying appellant 4/19/78 permit for food preparation and service establishment at 631 Howard Street, Room 119.

Inspector Al Chin of the Health Department spoke, and Michael Dinstell represented the appellant. After considering all arguments, the board voted unanimously to overrule.

APPEAL NO. 8201

Julius M. Tappe, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 4/13/78 permit to alter a building at 1530 Green Street.

Inspector O'Reilly represented the Department of Public Works, and the appellant appeared. After receiving all testimony, the board voted 4 to 1 to overrule, with Commissioner Scott voting to concur.

APPEAL NO. 8191

James Wiley, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 4/13/78 permit to alter a building at 1120 Union Street.

Inspector O'Reilly presented the case for his department, and the appellant spoke in his own behalf. The vote was 4 to 1 to concur, with Commissioner Berman voting to overrule.

Inspector O'Reilly announced that Appeal No. 8203 had been resolved and his department was withdrawing objection to the granting of the permit. The board accordingly dropped this appeal from calendar.

APPEAL NO. 8196

Fred Abdullah, Appl. vs. S.F. Police Dept., Resp.
Denying appellant permit as driver of public vehicle.

Officer Michael Seybold appeared for the Police Department, and the appellant spoke. After consideration of all circumstances, the board overruled unanimously with stipulation that permit be granted for six months duration, at which time it will be reviewed by the Police JDepartment for renewal.

APPEAL NO. 8202

Roy Whaley, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Disapproval)
Denying appellant 4/19/78 permit to alter a building at 639 Hearst Avenue.

Inspector O'Reilly outlined this appeal, and Daniel Sullivan spoke for City Planning Department. Contractor John Kosewic represented the appellant, and

Donald Macready and other neighbors also appeared on the appellant's behalf. In separate votes regarding Public Works and Planning Department matters, the board overruled unanimously with stipulation that building may be used as a two-family dwelling until there is a change of ownership, at which time it will revert to single-family use.

APPEAL NO. 8197

Northern California Coalition For Handgun Control, Appl. vs. S.F. Police Dept. Protesting the granting on 3/21/78 to Stephen Lombardi, permit as retail dealer in firearms at 152 Clement Street.

Permit holder Stephen Lombardi was present. Based on the record of the previous appeals in this series, the board voted 4 to 1 to overrule the granting of this renewal permit, with Commissioner Berman voting to concur.

APPEAL NO. V-8208

Andrew C. McLaughlin & Paul C. Pribuss, Appls. vs. S.F. Zoning Administrator, Resp. Protesting the granting on 4/12/78 to Sandra Miller et al, variance for property adjacent to Jewish Community Center.

Appellant-protestants Andrew McLaughlin and Mrs. Paul Pribuss gave the grounds for this protest, Daniel Sullivan participated in the hearing, and Charles Slutskin and S. Berg represented the owner of the property. The board scheduled a site inspection for May 9 at 8:00 a.m. and will hold further hearing in this appeal at the next regular meeting.

The following two appeals were heard as one:

APPEAL NO. 8205

Terence Hurley, Appl. vs. S.F. Dept. of Public Works, Resp. Protesting issuance on 4/13/78 to Patrick O'Donnell, permit to erect a structure at 801 Cole Street.

APPEAL NO. 8206

Terence Hurley, Appl. vs. S.F. Dept. of Public Works, Resp. Protesting issuance on 4/13/78 to Patrick O'Donnell, permit to erect a structure at 411 Frederick Street.

Appellant Erence Hurley and Henrietta Abrams gave the grounds for these protests, and permit holder Patrick O'Donnell and Leo Martin defended the permits. These cases were continued one week for further negotiations between protestants and permit holder, and a site inspection by the board members on Tuesday, May 9 at 9:00 a.m.

APPEAL NO. 8212

Winchell T. Hayward, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 4/25/78 to Calvary Presbyterian Church, demolition permit for building at 2515 Fillmore Street.

Appellant Winchell Hayward, Carol Lee Skourtas, architect Harold Major, and Earl Moss presented the grounds for this appeal, and the following persons appeared in defense of the demolition permit: Architect C. David Robinson, John Lowery, Reverend Kilgore, Reverend Harry Chuck, and Reverend Evans. The board voted 3 to 2 to concur in the granting of the permit, with Commissioners Scott and Engmann voting to overrule.

APPEAL NO. 8195

Lightspeed, U.S.A., Appl. vs. S.F. Zoning Administrator, Resp.
Appealing determination of the Zoning Administrator dated 4/7/78 regarding proposed balloon system at Pier 39 area.

Daniel Sullivan presented the case for the Zoning Administrator, and Adam Lisowski represented the appellant. With Commissioners Cerbatos and Engmann voting to concur, this appeal lacked the four votes necessary to overturn the department's decision.

APPEAL NO. 8150

U-Haul, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Disapproval)
Denying appellant 2/17/78 permit to alter a building at 500 Paul Avenue.

Further testimony in this rehearing was given by Daniel Sullivan and appellant's representative Jim Ginter. The board overruled unanimously with stipulation that alteration proceed according to drawings marked "Plan B" to be attached to the board's Notice of Decision and Order.

APPEAL NO. 8199

Maria Rivera, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Dept.)
Denying appellant 4/19/78 permit to alter a building at 3342 Fulton Street.

Inspector Gary O'Reilly spoke for the Department of Public Works, and Daniel Sullivan was on hand for City Planning Department. The appellant appeared in her own behalf. This appeal was continued one week for further investigation of the dwelling unit in question.

APPEAL NO. 8200

Thomas M. Lacey, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 4/19/78 permit to alter a building at 1753 Greenwich Street.

Inspector O'Reilly described this appeal, and the appellant spoke. The board voted unanimously to overrule with the following stipulations: (1) Newly-created living area on ground floor to be provided with one-hour fire rated sheet rock on exterior walls; (2) This area to be sprinklered with one sprinkler head per each 120 square feet, using domestic water supply.

APPEAL NO. 8214

Circus Vargas, Appl. vs. S.F. Police Dept., Resp. (Fire Dept. Disapproval)
Denying appellant 4/20/78 permit for circus at Candlestick Park for May 5 to 7, 1978.

The Police Department indicated they have no objection to the granting of this permit. Captain Russ McKlem spoke for the Fire Department, and Jack Bailey represented the circus. The board unanimously overruled, with the following stipulations: (1) All requirements in Fire Department's list dated May 2, 1978 to be followed; (2) Fire Department to provide one pumper of 500-gallon capacity on the site; (3) Structural engineer to supervise raising of tent; (4) Provisions of Title 19 and Title 24 to be met.

APPEAL NO. 8216

Mr. & Mrs. W. Teitz, Appls. vs. S.F. Dept. of Public Works, Resp.
Denying appellants 4/28/78 permit to alter a building at 651 Chenery Street.

Inspector O'Reilly gave information for his department, and Mrs. W. Teitz appeared. After considering all circumstances, the board unanimously overruled.

There being no further business to come before the Commissioners, President Cerbatos announced adjournment at 11:35 p.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, MAY 9, 1978

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A special meeting of the Board of Permit Appeals was called to order at 8:00 a.m. on Tuesday, May 9, 1978 at the Jewish Community Center on California Street.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

APPEAL NO. V-8208

Andrew McLaughlin & Paul Pribuss, Appls. vs. S.F. Zoning Administrator, Resp.
Protesting the granting on 4/12/78 to Sandra Miller et al, variance for property adjacent to Jewish Community Center.

The board members viewed the existing property, and discussed the probable effect of the proposed new buildings on the community. The meeting then recessed to convene at another location.

APPEAL NO. 8205

Terence Hurley, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 4/13/78 to Patrick O'Donnell, permit to erect a structure at 801 Cole Street.

APPEAL NO. 8206

Terence Hurley, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 4/13/78 to Patrick O'Donnell, permit to erect a structure at 411 Frederick Street.

The Commissioners inspected the site at issue in these two adajcent proposed structures, and considered the impact of this type of development on the surrounding neighborhood.

The meeting was then adjourned. The appeals considered today will be on calendar for further hearing at the next regular meeting on May 10, 1978.

Philip J. Siggins
Executive Director

MAY 24 1978

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, MAY 10, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 5:00 p.m. in Room 282 of City Hall, San Francisco, on Wednesday, May 10, 1978.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

Also present were Officers Seybold and Murray of the Police Department, Captain Russ McKlem of the Fire Department, Daniel Sullivan of City Planning Department, and Inspector Raymond McDonnell of the Department of Public Works. The proceedings were recorded by the board's official hearing reporter, Doris Levine.

Rehearing of Appeal No. 8177 was denied for lack of a motion.

APPEAL NO. 8207

Roger D. Miles, Appl. vs. S.F. Dept. of Public Works, Resp.
Appealing for refund of plumbing penalty for work at 2745 Golden Gate Avenue.

Inspector Raymond McDonnell read the letter from the JDepartment of Public Works, and the appellant appeared. With Commissioner Engmann absent, the other four Commissioners voted unanimously to overrule.

Further hearing was held in Appeals 8205 and 8206. After hearing from appellant-protestant Terence Hurley and a representative of Mr. Pagani speaking against the permits, and permit holder Patrick O'Donnell and his attorney Michael Ohleyer, the board ruled separately on each permit. In Appeal 8205 regarding 801 Cole Street, the board unanimously concurred in the granting of the permit, with the following stipulations: (1) Bay windows at corner of building to be constructed according to revised drawings submitted by builder, conforming to Drawing "B" presented by appellant-protestants and attached to the board's Notice of Decision and Order; (2) Lightwell to be located so as to accommodate that of adjacent building at 813 Cole Street; (3) Garage doors to be relocated, with one set on Cole Street and one set on Frederick Street; curb cuts to be limited in width to 13 feet for each garage entrance. In Appeal No. 8206 regarding 411 Frederick Street, the board voted unanimously to concur in the granting of the permit, making the following stipulations: (1) Entrances to conform to Drawing "A" submitted by appellant

and attachedto the board's Notice of Decision and Order; (2) Garage doors to be 10 feet in width; curb cut to be limited to 8 feet in width; (3) Decks to conform to most recent drawing submitted by builder. Commissioner Engmann was absent during these votes.

APPEAL NO. 8210

Herman Wertheim, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 4/25/78 permit to alter a building at 5533 California Street.

Inspector Raymond McDonnell spoke for the JDepartment of Public Works, and the appellant appeared with his witness Captain George Ryst, formerly of the San Francisco Fire Department. This appeal was continued one week so that appellant may confer with electrical inspector for clarification of requirements.

APPEAL NO. 8211

Richard Simkalo, Appl. vs. S.F. Dept. of Public Works, Resp. (S.F. Fire Dept.)
Denying appellant 4/25/78 permit to alter a building at 1130-1134 Taylor Street.

Inspector McDonnell outlined this appeal, and the appellant testified. Commissioner Engmann was absent at this time; the other four Commissioners voted unanimously to overrule with the following stipulations: (1) Approved type self-contained smoke detectors to be installed for paths of egress from each dwelling unit; (2) Basement not to be used for habitable rooms.

In further hearing of Appeal 8199, the board received testimony from Daniel Sullivan of City Planning Department, Inspector McDonnell, and the appellant, then scheduled a site inspection for 9:00 a.m. on Monday, May 15. Further hearing of this case will be held at the next regular meeting.

APPEAL NO. 8219

Ivey Williams, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 4/26/78 permit as driver of public vehicle.

Officers Seybold and Murray spoke for the Police Department, and the appellant appeared in his own behalf. After considering all circumstances, the board overruled unanimously, attaching a 6-month probationary period to the granting of the permit. The Police Department waived rehearing so that the board's order and decision could be transmitted immediately.

Having received word that the appellant in Appeal 8218 was unable to be present because of illness, the board continued this appeal one week.

Further hearing was held regarding Appeal No. V-8208. Architect Gerson Bakar and Sandra Miller appeared in favor of the variance, and Raymond Wong also spoke. The board voted unanimously to concur in the granting of this variance, with stipulation that off-street parking provided for the commercial occupancies be made available to tenants and neighbors when the businesses are closed.

APPEAL NO. 8220

Ulysses Young, Mark Fishman, and Benjamin Young, Appls. vs. S.F. Dept. of Pub. Wks. Protesting issuance on 4/28/78 to C & C Investment, permit to alter a building at 115 Main Street.

Appellant-protestant Ulysses Young and attorney Daniel Reidy gave the grounds for this protest, and Lewis Edwards, Charles Lamb, and David McDonald of the Hotel and Restaurant Employees and Bartenders Union Local 2 appeared in opposition to this alteration for a McDonald's restaurant. Attorney Michael Ohleyer and Jack Rowe represented the permit holders. The board continued this matter to May 31 to allow the Landmarks Advisory Board time to act, and scheduled a site inspection of the building for Tuesday, May 16 at 1:30 p.m.

APPEAL NO. 8183

Northern California Coalition for Handgun Control, Appl. vs. S.F. Police Dept. Protesting the granting on 3/14/78 to James Lowery, permit as retail dealer in firearms at 611 Barnevald Avenue.

The Executive Director announced that the judge who is hearing this series of cases in the Superior Court has requested that the board postpone ruling on this pending appeal. This matter was therefore continued to May 24 with the agreement of the permit holder and Stanley Tick, who represented the appellant organization.

APPEAL NO. V-8213

Mr. & Mrs. David Golden, Appls. vs. S.F. Zoning Administrator, Resp. Denying appellants 4/17/78 a variance for property at 44 Clarendon Avenue.

Daniel Sullivan presented the case for the Zoning Administrator, and attorney Jack Dooling represented the appellants, who also spoke. After hearing all arguments, the board overruled unanimously with stipulation that shrubs be planted around addition to garage.

In further hearing of Appeal 8132, the board received testimony from Daniel Sullivan, appellant Jack Rauch, his attorney George Choppelas, and witness Donald Geller. After considering all material presented, the board voted 4 to 1 to overrule, with Commissioner Engmann voting to concur.

APPEAL NO. 8209

Dante Giosso, Appl. vs. S.F. Dept. of Public Works, Resp. (S.F. Fire Dept. Disapp.) Denying appellant 4/24/78 permit to alter a building at 725 Van Ness Avenue.

Inspector McDonnell spoke for the Department of Public Works, and the appellant appeared. After hearing the facts, the board unanimously overruled.

Under new business, the board members discussed implementation of recommendations of the Barristers Club committee regarding appeal procedures, and agreed that the starting time for the meetings will be moved up to 4:00 p.m. in June.

There being no further business to come before the Commission, President Cerbatos announced adjournment at 11:00 p.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

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# MEETING OF THE BOARD OF PERMIT APPEALS

## CITY AND COUNTY OF SAN FRANCISCO

## MONDAY, MAY 15, 1978

A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 9:00 a.m. on Monday, May 15, 1978 at 3342 Fulton Street.

Present were: President Agripino R. Cerbatos
Vice President David Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry Berman

### APPEAL NO. 8199

Maria Rivera, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Dept.) Denying appellant 4/19/78 permit to alter a building at 3342 Fulton Street.

The board members assembled at the site and were shown this building, discussing with the appellant the unit in question and other matters concerning the appeal. The meeting was then adjourned.

This case will be on calendar for further hearing at the regrular meeting on Wednesday, May 17.

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, MAY 16, 1978

A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 1:30 p.m. on Tuesday, May 16, 1978 at 115 Main Street.

Present were: President Agripino R. Cerbatos
Vice President David Scott
Commissioner Mattie Jackson
Commissioner Douglas Engmann
Commissioner Henry Berman

APPEAL NO. 8220

Ulysses Young et al, Appls. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 4/28/78 to C & C Investment, permit to alter a building at 115 Main Street.

The Commissioners inspected this building, with a view to evaluating its historic value and its suitability for remodeling for a McDonald's restaurant. Discussion regarding these questions was held with the appellant-protestants and others present. President Cerbatos then announced adjournment.

Further hearing in this appeal will be held on May 31, 1978.

Philip J. Siggins
Executive Director

MAY 24 1978

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, MAY 17, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 5:00 p.m. on Wednesday, May 17, 1978 in Room 282 of City Hall.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

Also present were Inspector Raymond McDonnell of the Department of Public Works, Officers Seybold, Koniaris, and Busalacchi of the Police Department, Captain Russ McKlem of the Fire Department, Daniel Sullivan of City Planning Department, and the board's official hearing reporter, Doris Levine.

Upon motion of Commissioner Engmann unanimously carried, rehearing was granted in Appeal No. 8187. Date for the new hearing has not yet been determined.

The Board considered letter of May 16, 1978 from attorney Michael Ohleyer requesting that Appeal 8220 be continued beyond the 40-day jurisdiction time. No motion was made to grant this request.

In further hearing of Appeal No. 8210, the appellant made his report and Inspector McDonnell testified. The board voted unanimously to concur in the department's position regarding the items appealed.

APPEAL NO. 8215

B. Chommannard, Appl. vs. S.F. Dept. of Public Works, Resp.
Appealing for refund of penalty for building work at 1420 Irving Street.

Inspector McDonnell read the letter from the Department of Public Works, and Goldie Kafoury represented the appellant. After considering all circumstances, the board unanimously overruled.

APPEAL NO. 8221

Kathleen Benoit, Appl. vs. S.F. Police Dept., Resp.
Revocation on 4/26/78 of masseuse permit.

Officers Seybold, Koniaris, and Busalacchi appeared for the Police Department, and the appellant was present with her attorney James Murray. After considering all facts, the board voted unanimously to overrule, with stipulation that permit be reviewed by Police Department after six months. At that time appellant must demonstrate that she has remained under psychiatric care.

The Executive Director announced that the appellant in Appeal 8218 had requested another continuance because of illness, and the board put this matter over to the next meeting.

Appeal No. 8222 has been continued to June 7 at the request of the appellant and with agreement of the department concerned.

Further hearing was held in Appeal 8199, in which the board had made a site inspection. The Commissioners heard from Daniel Sullivan, Inspector Raymond McDonnell, and appellant Maria Rivera, then voted unanimously to overrule with intent that the building be used as a single family dwelling until such time as a building permit may be approved allowing two families. The following stipulations were made: (1) Gas pipes in ground floor area to be capped; (2) Kitchen sink on ground floor to be either removed or replaced with laundry tub; (3) Windows of ground floor area to be made openable to provide light and ventilation; (4) Narrow stairs leading from ground floor area to be widened to the required width; (5) Appellant to record the board'd Notice of Decision and Order.

Appeal No. 8184 was on calendar for rehearing. The permit holder was present. Accepting letters offered in evidence indicating that the appellant-protestant had sold his property, the board voted unanimously to concur in the granting of the permit in question.

APPEAL NO. 8226

Daniel Ducos, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 5/10/78 permit to alter a building at 3610 Sacramento Street.

Inspector McDonnell spoke for the Department of Public Works, and the appellant and his architect Robert Crutchfield appeared. This appeal was continued one week so that the application may be amended.

APPEAL NO. 8217

Bernard B. Berkov, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 5/1/78 permit to alter a building at 2834 Buchanan Street.

Inspector McDonnell outlined this appeal, and the appellant appeared. The board voted unanimously to overrule.

APPEALS 8223, 8224, 8225

Park-Presidio Neighborhood Assoc., Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 4/27/78 to Little Sisters of the Poor, demolition permits for buildings at 300 Lake Street.

Attorney Steven Tennis, Mother Regina, and others were present on behalf of the permit holders, and William Eisen was present for the appellant-protestant organization. The board scheduled a site inspection for Monday, May 22 at 11:00 a.m. and will hear testimony on the merits of the appeals at the next meeting.

APPEAL NO. 8227

Hotel & Restaurant Employees & Bartenders Union, Appl. vs. S.F. Dept. of Public Works.
Protesting issuance on 4/28/78 to C & C Investment, permit to alter a building at 115 Main Street.

This matter was before the board for consideration of jurisdiction, as the appeal was filed beyond the ten days time. Ulysses Young, appellant-protestant in Appeal 8220, regarding the same building, was present to support this second appeal. Upon motion of Commissioner Engmann unanimously approved, jurisdiction was accepted and hearing was scheduled for the May 31 meeting to coincide with the hearing of Appeal 8220.

There being no further business to come before the board, President Cerbatos announced adjournment at 7:30 p.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

# MEETING OF THE BOARD OF PERMIT APPEALS

## CITY AND COUNTY OF SAN FRANCISCO

## MONDAY, MAY 22, 1978

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A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 11:00 a.m. on Monday, May 22, 1978 at 300 Lake Street.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Henry E. Berman

APPEALS 8223, 8224, 8225

Park-Presidio Neighborhood Assoc., Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 4/27/78 to Little Sisters of the Poor, demolition permits for buildings at 300 Lake Street.

The Commissioners saw the buildings in question, and discussed the effect of their demolition and replacement with interested persons present. The meeting was then adjourned.

Further hearing will be held on these protest appeals at the next regular meeting on Wednesday, May 24, 1978.

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, MAY 24, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 5:00 p.m. on Wednesday, May 24, 1978 in Room 282 of City Hall.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

Also present were Inspector Raymond McDonnell of the Department of Public Works, Officer Michael Seybold of the Police Department, Captain Russ McKlem of the Fire Department, and the board's official hearing reporter Doris Levine.

Rehearing of Appeal No. 8150 was denied for lack of a motion.

APPEAL NO. 8230

Cliff Watts, Appl. vs. S.F. Dept. of Public Works, Resp.
Appealing fo r refund of penalty for building work at 2172 Chestnut Street.

Inspector Raymond McDonnell read the letter from the Department of Public Works, and the appellant spoke. After considering all circumstances, the board unanimously overruled.

APPEAL NO. 8229

George Ferrari, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 5/16/78 permit to alter a building at 301½ Columbus Avenue.

Inspector Raymond McDonnell outlined this appeal, and Matthew Pontar represented the appellant. The board concurred unanimously in this denial.

Further hearing was held in Appeal No. 8225. The appellant, his architect Robert Crutchfield, and Inspector McDonnell testified. The board voted unanimously to overrule with the following stipulations: (1) One-hour fire separation to be provided between ground floor and occupancies above; (2) Automatic sprinkler system to be installed in entire ground floor and passageway; (3) Building not to be used for dwelling purposes.

APPEAL NO. 8218

Harrison B. Danley, Jr. vs. S.F. Police Dept., Resp.
Denying appellant 4/16/78 permit as driver of public vehicle.

Officer Michael Seybold spoke for the Police Department, and the appellant appeared in his own behalf. The board voted 4 to 1 to overrule this denial, with stipulation that permit be reviewed by Police Department after ninety days. Commissioner Berman voted to uphold the department.

APPEAL NO. 8231

M. B. Patel, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 5/9/78 to First Samoan Full Gospel Church, permit to erect a structure at 522 Carter Street.

The appellant gave his grounds for this protest, and architect Richard Reisman represented the permit holder. After hearing all arguments, the board voted unanimously to concur in the granting of the permit. Adjacent property owners were present for this hearing, but did not speak.

Appeal No. 8183 was on calendar for rehearing. In view of the request by the judge hearing cases on this issue in Superior Court, that the board defer ruling on these pending appeals, Commissioner Scott moved that this appeal be continued thirty days. The motion carried unanimously.

Further hearing was held in Appeals 8223, 8224 and 8225. William Eisen and Jacqueline Young opposed these demolition permits, and attorney Howard Nemerovsky, Sister Patrick, Derek Parker, attorney Smith McKeithen, and Ed Gleason represented the permit holders. The board voted separately in these three appeals. Regarding Appeal 8223 (carriage house) the board unanimously upheld the granting of the demolition permit; in Appeal 8224 (main building and chapel) the board voted 4 to 1 to concur in the granting of the permit, with Commissioner Engmann voting to overrule; in Appeal 8225 (laundry building) the Commissioners unanimously concurred in the granting of the permit.

There being no further business to come before the board, President Cerbatos announced adjournment at 7:55 p.m. The board will hold its next meeting on Wednesday, June 7, 1978.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, JUNE 7, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 4:00 p.m. on Wednesday, June 7, 1978 in City Hall, Room 282.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

Also present were Inspector John Borovkoff of the Department of Public Works, Captain Russ McKlem of the Fire Department, Daniel Sullivan of City Planning Department, Officer Michael Seybold and Inspector Joel McCarthy of the Police Department, and the board's official hearing reporter Doris Levine.

Rehearing of Appeals 8227, 8224 and 8225 was denied for lack of a motion. Upon motion of Commissioner Berman unanimously carried, the findings were adopted in these three appeals.

Appeal No. 8236 has been continued to June 21 upon agreement of all concerned.

The board considered a letter from Andrea Fischler seeking to file a protest appeal beyond the ten days regarding permit to erect a structure on Adler Street. After discussion with Ms. Fischler, her attorney Joseph D. O'Sullivan, permit holder Martin Gachwiler, and Inspector John Borovkoff regarding posting of the site, the board unanimously accepted jurisdiction of an appeal upon motion of Commissioner Engmann.

APPEAL NO. 8232

Benford Brown, Appl. vs. S.F. Police Dept., Resp. (City Planning Dept. Disapproval)
(Dept. of Public Works Disapproval)

Denying appellant 5/15/78 dance permit and permit for place of entertainment at 1430 Sunnydale Avenue.

Officer Michael Seybold spoke for the Police Department, Daniel Sullivan stated City Planning Department's position, and Inspector Borovkoff appeared for

the Department of Public Works. Victor Acevedo expressed neighborhood opposition, and the appellant testified in his own behalf. The board unanimously concurred in the denial of both permits. Commissioner Jackson was absent during this vote.

The board granted a continuance to June 28 in Appeal 8233 after hearing from Alan Beher and William Brunhofer representing the appellants, Richard Carlinghouse appearing for a neighborhood group, and Daniel Sullivan.

APPEAL NO. 8228

Liese Loon & C. M. Stern, Appls. vs. S.F. Zoning Administrator, Resp.
Appealing determination of the Zoning Administrator dated 5/2/78 regarding property at 935 Pine Street.

Daniel Sullivan presented the case for the Zoning Administrator, Inspector John Borovkov spoke for the Department of Public Works, and appellant Charles M. Stern appeared. After considering all circumstances, the board voted unanimously to overrule.

APPEAL NO. 8222

Philip Segal, Appl. vs. S.F. Police Dept., Resp.
Appealing conditions imposed 5/1/78 on pawnbroker permit at 948 Market Street.

Officer Michael Seybold and Inspector Joel McCarthy of the pawnshop detail represented the Police Department, the appellant appeared with his attorney Robert F. Kane, and Peter A. Giannopoulos also spoke in behalf of the appellant. After hearing all facts, the board voted 4 to 1 to overrule regarding conditions 2 and 3 imposed by the Police Department on May 4, 1978. Commissioner Scott voted to concur.

APPEAL NO. 8227

Hotel & Restaurant Employees & Bartenders Union Local 2, Appl. vs. Public Works.
Protesting issuance on 4/28/78 to C & C Investment, permit to alter a building at 115 Main Street.

This matter was heard in conjunction with further hearing of Appeal 8220 regarding the same permit. The appellants and other interested persons were

present. Announcement was made of letter received from the permit holder's attorney stating that the alteration application in question is being withdrawn. Based on testimony received at the hearing of May 10, 1978 in Appeal 8220, the board unanimously overruled the granting of the permit in both these appeals.

Three items of new business were discussed:

1. The filing of Statement of Economic Interest in connection with the Conflict of Interest Code.

2. The recommendations of the Barristers Club regarding the board's procedures. Upon motion of Commissioner Engmann, an administrative item will be calendared in September regarding implementation of these changes. Commissioner Jackson abstained from voting on the motion.

3. It was agreed that a letter will be directed to the City Attorney requesting a written opinion as to whether the Brown Act would have the effect of requiring advance notification to interested persons regarding site inspections.

There being no further business to come before the board, President Cerbatos announced adjournment at 7:00 p.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, JUNE 21, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 4:00 p.m. on Wednesday, June 21, 1978 in City Hall, Room 282.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

Also present were Inspector Raymond McDonnell of the Department of Public Works, Captain Russ McKlem of the Fire Department, Daniel Sullivan of the City Planning Department, Officer Michael Seybold of the Police Department, and the board's official hearing reporter, Doris Levine.

Upon motion of Commissioner Jackson, rehearing was granted in Appeal 8232. Commissioner Engmann voted against the motion. Rehearing of Appeal No. V-8213 was denied for lack of a second to Commissioner Jackson's motion.

APPEAL NO. 8239

Andrea Tischler, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 10/31/78 to Gaehwiler Construction Company, permit to erect a structure at 73 Alder Street.

The appellant, her attorney Joseph D. O'Sullivan, and Stephen Conrad gave the grounds for this protest, and permit holder Martin Gaehwiler and attorney Michael Ohleyer defended the permit. The board scheduled a site inspection for Friday, June 23. Upon agreement of all interested persons, further hearing on this appeal will be held on July 12.

APPEAL NO. 8237

Howard Willer, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 6/6/78 permit to alter a building at 401 Upper Terrace.

Inspector Raymond McDonnell spoke for the Department of Public Works, and the appellant testified. The board continued this matter one week in order to hold a site inspection on June 26 at 4:00 p.m.

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APPEAL NO. 8234

Kevin Casey & H. Grahlmann, Appls. vs. S.F. Dept. of Public Works, Resp. Denying appellants 5/24/78 permit to alter a building at 94 Duboce Avenue, and appealing penalty.

Inspector Raymond McDonnell appeared for the Department of Public Works, Captain Russ McKlem spoke for the Fire Department, and appellant H. Grahlmann testified. The board voted unanimously to overrule with intent to legalize the building in its present occupancy. The following stipulations were made: (1) Regarding Item A: Smoke detectors to be provided as will be required by Code on July 1, 1979; (2) Item B: Third exit door on ground level to be provided with panic hardware and set back to provide exterior landing; (3) Item C: Exit signs to be provided as required for R-3 occupancy; (4) Item D: Gas stove in Apt. 1 to be dismantled and electrical cooking facilities to be provided; (5) Work to be completed within sixty days after issuance of permit.

Regarding Appeal 8236, the Executive Director announced that an continuance had been requested by the permit holder, and the board put this matter over one week.

APPEAL NO. V-8240

Fredric L. Addison, Appl. vs. S.F. Zoning Administrator, Resp. Appealing requirement placedoon variance granted to appellant on 5/31/78 for property at 311 Rutledge.

Before leaving the meeting, Daniel Sullivan had presented the letter stating the Zoning Administrator's position. Bruce Gordon and Verne Wilcox opposed this appeal, and the appellant appeared in his own behalf. The board ruled that if the owner-appellant options to demolish and eliminate that enlargement of the residential use of Lot 28 which projects 4 feet over onto Lot 27, then no variance is required, and he is further entitled to the continuance of the pre-existing three dwelling units on Lot 28.

Announcement was made that a letter had been received from the appellant-protestant in Appeal 8235 withdrawing the appeal. The board accepted the withdrawal and dropped this matter from calendar.

Withdrawal of protest appeal No. 8238 was also accepted by the board; letter from appellant is part of the record in the file.

The following protest appeal concerning the granting of permits to retail dealers in firearms were on calendar, having been remanded from Superior Court: Appeals 7863, 7871, 7882, 7897, 7972, 8053, 7971, 7895, 7665, and 7884. After

hearing from attorney Joseph O'Sullivan representing several permit holders, and attorney Steven Schechter representing Roos-Atkins, the board voted 4 to 1 to concur in the granting of permits in all these appeals. Commissioner Scott voted to overrule.

Appeal 8183 involving protest against handgun permit of James Lowery at 611 Barnevald Avenue was on calendar for rehearing. As Stanley Tick of the Northern California Coalition For Handgun Control had no testimony to offer, the board voted unanimously to concur in the granting of this renewal permit.

Appeal 8187 regarding protest against permit as retail dealer in firearms for Stephen D. Lombardi of 152 Clement Street was also on calendar for rehearing. Mr. Tick of the appellant organization offered no testimony, and the board unanimously concurred in the granting of the permit.

Under new business, the board approved a resolution of the allocation of funds under the revised budget for fiscal year 1978-79, necessary because of the Jarvis-Gann initiative.

In another item of new business, the board approved a proposed revision of Part III, Section 8 of the San Francisco Municipal Code, to provide for an increase in filing fees.

There being no further business, President Cerbatos announced adjournment at 8:00 p.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

FRIDAY, JUNE 23, 1978

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A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held on Friday, June 23, 1978 at 9:00 a.m. at the site of proposed construction at 73 Alder Street.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

APPEAL NO. 8239

Andrea Tischler, Appl. vs. S.F. Dept. of Public Works, Resp. Protesting issuance on 10/31/78 to Geahwiler Construction Company, permit to erect a structure on Alder Street, Block 1617, Lot 20.

The Commissioners saw the lot in question, and estimated the effect of the proposed new building on other properties and homes in the vicinity. The meeting was then adjourned.

This appeal has been scheduled for further hearing at the regular meeting of July 12, 1978 at 4:00 p.m.

Philip J. Siggins
Executive Director

MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

MONDAY, JUNE 26, 1978

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A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held on Monday, June 26, 1978 at 4:00 p.m. at 401 Upper Terrace.

Present were: Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

APPEAL NO. 8237

HOWARD WILLER, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 6/6/78 permit to alter a building at 401 Upper Terrace.

Board members inspected this building, noting arrangement of the floors of occupancy and other features relative to the matters under appeal. The meeting was then adjourned.

Further hearing in this case will be held at the next regular meeting on June 28, 1978.

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, JUNE 28, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 4:00 p.m. on Wednesday, June 28, 1978 in Room 282 of City Hall.

Present were: Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Magnamn
Commissioner Henry E. Berman

Also present were Daniel Sullivan of City Planning Department, Captain Miss McKlam of the Fire Department, Inspector Raymond McDonnell of the Department of Public Works, Inspector Gary Gilmain of the Department of Public Health, and Officers Seybold and Driscoll of the Police Department. The proceedings were recorded by Doris Levine, the board's official hearing reporter.

The first order of business was the schedule for July. With Commissioners Scott and Magnamn out of the city on July 5 and 12, a quorum would be lacking, and the board therefore agreed that the next regular meeting will be held on Wednesday, July 19, 1978.

Upon motion of Commissioner Berman unanimously carried, the Department of Public Works' request for rehearing of Appeal 8234 was granted, with the understanding that the only item to be resolved was the requirement for inclined ladder.

Appeal 8247 has been continued to the next meeting at the request of both parties.

APPEAL NO. 8233

Dr. Mose I. Durst, Appl. vs. S.F. Zoning Administrator, Resp.
Appealing determination of the Zoning Administrator dated 5/11/78 regarding the property at 2269 Washington Street.

Daniel Sullivan spoke for the Zoning Administrator, attorney Daniel Reidy, Larry Pullian, and Jane Murphy supported the Zoning Administrator's position, and Alah Beher appeared for the appellant. The board voted unanimously to concur with the department.

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APPEAL NO. 8243

Jilma Graves, Appl. vs. S.F. Dept. of Public Works, Resp.
Appealing for refund of plumbing penalty for work at 231 Dwight Street.

Inspector Raymond McDonnell spoke for the department, and the appellant testified. The board voted unanimously to overrule.

In further hearing of Appeal No. 8237, testimony was received from Inspector McDonnell and the appellant, after which the board unanimously overruled with the following stipulations: (1) Item 32 of DAHI Report: Pull alarm system to be installed with individually activated alarm bells in each apartment including fifth (lowest) floor of occupancy; pull alarms to be located outside front doors of apartments on levels 1, 2, 3 and 4 and in area designated "master bedroom" on fifth (lowest) floor of occupancy. (2) Fourth floor of occupancy to be sprinklered from domestic water supply where it creates a fourth floor of occupancy relative to the other floors.

APPEAL NO. 8246

George Nasr, Appl. vs. S.F. Dept. of Public Health, Resp.
Denying appellant 6/19/78 permit for Food Preparation & Service Establishment (restaurant-delicatessen) at 1572 Union Street.

Inspector Gary Gilmain of the Health Department spoke, Robert David and William S. Clark opposed the permit, and attorney Jesse Arnelle represented the appellant. The board voted unanimously to concur in this denial.

APPEAL NO. 8236

Robert Apton, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 5/19/78 to E. H. Brown, permit to erect a structure at 304 Holladay.

The appellant gave his grounds for this protest, and Mrs. Murphy also spoke against the permit. Appearing in defense of the permit were Andrew Husari and Robert J. Dutra. The Commissioners voted 3 to 1 to concur in the granting of the permit, with Commissioner Hannan voting to overrule.

Appeal No. 8232 was on calendar for rehearing. Michael Seybold and Officer Driscoll testified for the Police Department, and the appellant appeared with Adrian Scharlack, owner of the building. This matter was continued to the next regular meeting on July 19, so that a letter clarifying the permitted activities may be sent to the appellant from the Police Department.

APPEAL NO. 8244

Emily V. Paenzi, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 5/16/78 permit to alter a building at 3132-3140 Scott Street.

Inspector Raymond McDonnell read the letter from the Department of Public Works, and contractor John F. Egan represented the appellant. The board voted 3 to 1 to concur, with Commissioner Engmann voting to overrule with stipulation.

APPEAL NO. 8245

Frances K. Bertolone, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 6/16/78 permit to alter a building at 3953-3957 Washington.

Inspector McDonnell outlined this appeal, and the appellant appeared. The board scheduled a site inspection for Tuesday, July 18 at 4:00 p.m. and will hold further hearing at the July 19 meeting.

APPEAL NO. 8250

Andrew Kramer, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 6/12/78 to William S. Johnson, permit to erect a structure at 1349-1353 Page Street.

Appellant-protestant Andrew Kramer, Stan Burke, and others from the neighborhoodfwere present to protest this permit. As the permit holder did not appear, the board continued this case to the next regular meeting.

Regarding Appeal No. V-8240, heard at the last meeting, the board approved a clarification of their intent and a formal statement of their decision and findings.

Letter of June 28, 1978 from Robert and Sylvia Kendrick was before the board regarding an alteration at 3747 Jackson Street. Mr. and Mrs. Kendrick were present, and Inspector McDonnell testified regarding required notice from his department. Upon motion of Commissioner Engmann, the board accepted jurisdiction of a protest appeal beyond the ten days.

There being no further business, Vice President Scott announced adjournment at 8:50 p.m.

Agripino M. Cerbatos, President

Philip J. Siggins, Executive Director

MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, JULY 18, 1978

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A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held on Tuesday, July 18, 1978 at 3953-3957 Washington Street.

Present were: President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

APPEAL NO. 8245

Frances K. Bertolone, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 6/16/78 permit to alter a building at 3953-3957 Washington.

The Commissioners were shown this building, and gave attention to the features that are connected to the matter being appealed. The meeting was then adjourned.

This case will be on calendar for further hearing at the regular meeting on Wednesday, July 19.

Philip J. Siggins
Executive Director

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# MEETING OF THE BOARD OF PERMIT APPEALS

## CITY AND COUNTY OF SAN FRANCISCO

## WEDNESDAY, JULY 19, 1978

Minutes

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 4:00 p.m. on Wednesday, July 19, 1978 in Room 282 of City Hall.

Present were: President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

Also present were Nancy Gin, Daniel Sullivan and Robert Feldman of City Planning Department, Captain Russ McKlem of the Fire Department, Officer Michael Seybold of the Police Department, Inspector Raymond McDonnell of the Department of Public Works, and Doris Levine, the board's official hearing reporter.

As there was no second to Commissioner Engmann's motion for rehearing of Appeal 8233, the request was denied. The appellant's request for rehearing of Appeal No. 8236 was denied for lack of a motion. Upon motion of Commissioner Berman unanimously carried, rehearing in Appeal 8246 was granted, and scheduled for the August 2 meeting.

The board considered letter of July 8, 1978 from Katherine Mirabito regarding permit granted for 566 - 23rd Avenue. Based on the material submitted, the Commissioners accepted a protest appeal beyond the ten days, and set the hearing for August 2. The permit holder and his representative were present.

The board had before it Appeal No. 7736, remanded from Superior Court in connection with Superior Court action No. 723-310. This matter was put over for disposition on August 2 upon motion of Commissioner Berman unanimously carried. In the intervening time, a special meeting will be set up with the City Attorney and other interested persons.

Appeal 8239 was on calendar for further hearing. Upon request of attorney Michael Ohleyer representing the permit holder who was unable to appear, and with agreement of interested persons present, this case was continued to the next regular meeting on August 2.

APPEAL NO. 8241

Luigi and Adele Bertani, Appls. vs. S.F. Dept. of Public Works, Resp.
Denying appellants 6/15/78 permit to alter a building at 1570-1572A Guerrero.

Inspector Raymond McDonnell appeared for the Department of Public Works, and attorney Joseph A. Desmond represented the appellants. The board overruled unanimously with the following stipulations: (1) Items 10 and 11 of DAHI Report: Holes in garage ceiling to be patched with one-hour fire resistive material; two sprinkler heads to be installed in front passageway and one in rear passageway, from domestic water supply; (2) Item 12: One sprinkler head to be provided at bottom of garbage chute, using domestic water supply; (3) Item 29: Sun Gar collapsible ladder with proper UL label to be provided from rear fire escape balcony to ground level; (4) Item 42: Approved type duct to be installed to provide heat to top apartment from heating facilities of the unit directly below.

APPEAL NO. 8242

Maria Clever, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Disapp.)
Denying appellant 6/15/78 permit to alter a building at 63 Douglass Street.

Nancy Gin presented the case for City Planning Department, and attorney Raymond Levy, Mrs. Archer, Wesley Archer, and Dale Champion opposed the permit. Appearing in support of the appeal were appellant's representative Nicolai Clever, his attorney Henry Shain, Mr. Terry, Robert Houston, Anthony Varni, and Michael Bowes. The board voted 3 to 1 to concur, with Commissioner Jackson voting to overrule.

APPEAL NO. 8245

Frances K. Bertolone, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 6/16/78 permit to alter a building at 3953-3957 Washington.

Inspector Raymond McDonnell read the letter from the Department of Public Works, and the appellant appeared. The board overruled unanimously with the following stipulations: (1) Items 12 and 21 of DAHI Report to be complied with; (2) Item 52: Lowest floor to be separated from the rest of the building by one-hour fire resistive material; full hard wire smoke detector system to be installed, including alarm bells.

Appeal No. 8232 was on calendar for further hearing. Officer Michael Seybold presented a copy of the letter that had been requested from the Police Department, and the appellant appeared. Victor Acevedo was present for the neighbhorhood. As it was agreed that dance and entertainment permits are not necessary for the use proposed by the appellant, the board concurred unanimously in this denial. Daniel Sullivan indicated that as long as no permits are required, there would be no problem with City Planning Department.

APPEAL NO. 8251

Charles Odem, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 6/13/78 permit as Driver of Public Vehicle.

Officer Michael Seybold spoke for the Police Department, and Michael Pruden of the Employment Law Center represented the appellant, who did not appear. This matter was put over to the next meeting in order that testimony may be received from the appellant.

Protest appeal 8247 has been withdrawn by letter and dropped from calendar.

Appeal No. 8234 was on the agenda for rehearing, the only matter in contention being a required incline ladder. Commissioner Cerbatos announced that the appellant is willing to comply with this requirement, and the board voted unanimously to overrule with the provision that a stipulation to provide approved ladder from top floor to second floor be added to the stipulations made in the board's previous ruling on this appeal.

APPEAL NO. 8250

Andrew Kramer, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 6/12/78 to William S. Johnson, permit to erect a structure at 1349-1353 Page Street.

Appellant-protestant Andrew Kramer and Deborah Mack gave the grounds for this protest, and permit holder William S. Johnson appeared in his own behalf. The board unanimously concurred in the granting of the permit, with stipulation that front elevation be treated with texture agreeable to the neighborhood, i.e. cedar shingles and dark anodized aluminum sash on windows.

Appeal No. 8254 has been withdrawn by letter.

APPEAL NO. V-8248

Ruchard Russo, Appl. vs. S.F. Zoning Administrator, Resp.
Denying appellant 6/15/78 a variance for property at 5 Dolores Terrace.

Nancy Gin presented the case for the Zoning Administrator, Inspector McDonnell and Daniel Sullivan participated in the discussion, and attorney Peter Thomas represented the appellant, who also appeared. In a 2 to 2 vote with Commissioners Engmann and Berman voting to concur, this appeal was denied for lack of the required four overrule votes.

APPEAL NO. 8253

Suzanne Wong, Appl. vs. S.F. Dept. of Public Works, Resp. (Fire Dept. Disapproval) Denying appellant 6/28/78 permit to alter a building at 142 - 10th Avenue.

Captain Russ McKlem spoke for the Fire Department, and Michael Hendry of Sunset Pools spoke for the Appellant. The board unanimously concurred, with stipulation that plastic pipe be used for fire connection to swimming pool.

APPEAL NO. 8255

Suzanne Wong, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Dept.) Appealing suspension on 6/27/78 of permit to erect a structure at 142 - 10th Avenue.

Robert Feldman of City Planning Department described the setback problem, with Dan Dunnow and Jonathan Buckley supporting the Planning Department's position. The appellant and her architect Merrill Jew spoke. The board voted unanimously to concur in the departments' position.

The appellant-protestant in Appeal No. 8252 has withdrawn his appeal by letter, and this matter has been removed from the agenda.

APPEAL NO. 8257

Rigmor Larsen, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 6/27/78 to Jim Tom, permit to alter a building at 403 - 44th Avenue.

The appellant gave her grounds for this protest, and the permit holder appeared in defense of the permit. The board voted unanimously to concur in the granting of the permit, with stipulation that permit holder retain a plumber to do any work necessary to assure that existing sewer line is clear.

APPEAL NO. 8258

Jack Werchik and Mary Morgan Appls. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 6/30/78 to Mr. Dea, permit to alter a building at 1749 - 12th Avenue.

Attorney David Graybeal and appellant Mary Morgan gave the grounds for this protest, and the permit holder appeared. The board scheduled a site inspection for Monday, July 24 at 5:00 p.m. and will rule on this appeal at the next regular meeting.

The appellant-protestant in Appeal No. 8263 has sent a letter to the office of the board withdrawing the appeal. Since the other interested person of record did not appear to give testimony, the board accepted the withdrawal and dropped this matter.

There being no further business to come before the Commission, President Cerbatos announced adjournment at 10:55 p.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

MONDAY, JULY 24, 1978

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A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 5:00 p.m. on Monday, July 24, 1978 at 1749 - 12th Avenue.

Present were: President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

APPEAL NO. 8258

Jack Werchik & Mary Morgan, Appls. vs. S.F. Dept. of Public Works, Resp. Protesting issuance on 6/30/78 to Mr. Dea, permit to alter a building at 1749 - 12th Avenue.

The Commissioners inspected the site and evaluated the effect of the proposed alteration on other properties in the vicinity. The meeting was then adjourned.

This appeal will be on calendar for further hearing at the regular meeting of August 2, 1978.

Philip J. Siggins
Executive Director

Minutes

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, AUGUST 2, 1978

A special procedural hearing was held at 3:00 p.m. in City Hall, Room 282 regarding Appeal No. 7736, remanded from Superior Court. Speakers were City Attorney George Agnost, Diane Barry and John Kenny of Mr. Agnost's staff, attorney Jeffrey Lewis representing the appellant-protestants, and former Board of Permit Appeals Commissioner Patrick S. Hallinan.

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 4:00 p.m. on Wednesday, August 2, 1978 in Room 282 of City Hall.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann

Also present were Inspector Gilmay of the Health Department, Inspector Garry O'Reilly of the Department of Public Works, Daniel Sullivan of City Planning Department, Captain Russ McKlem of the Fire Department, Inspector Pat Burns and Sergeant Mahoney of the Police Department, and the board's official hearing reporter Doris Levine.

Upon motion of Commissioner Jackson unanimously carried, rehearing was granted in Appeal V-8248 and scheduled for the August 23 meeting. Rehearings of Appeals 8241 and 8245 were denied for lack of a motion.

Letter from Mrs. Ethel Maryanis dated July 20, 1978 was considered by the board. After consideration of the material before them, the board declined to accept a protest appeal beyond the ten days regarding the building at 554 - 12th Avenue.

Appeals 8239, 8269 and 8265 have been continued by agreement of all persons concerned. Appeals 8266, 8264 and 8270 have been withdrawn and removed from calendar.

Appeal No. 8246 was on the agenda for rehearing. Inspector Gilmay appeared for the Department of Public Health, Robert David opposed the permit, Daniel Sullivan participated in the discussion, and attorney Jesse Arnelle represented the appellant. The board voted unanimously to overrule with the following stipulations: (1) No tables, chairs, or serving counter to be installed; (2) Business to be open only between the hours of 9:00 a.m. and 7:00 p.m.

APPEAL NO. 8259

Don R. Stephens, Appl. vs. S.F. Dept. of Public Works, Resp. (Fire Dept. Disapp.) Denying appellant 7/10/78 permit to alter a building at 2201 Sacramento Street.

Inspector Garry O'Reilly spoke for the Department of Public Works, and the appellant was represented by Stanley Brinkman. The board overruled unanimously with the following stipulations: (1) Interior sprinkler heads or tempered glass to be provided for windows opening directly onto fire escape balconies; (2) Window openings onto fire escape balconies to be at least 29 inches in width.

APPEAL NO. V-8256

Maria Elena Anaya, Appl. vs. S.F. Zoning Administrator, Resp. Denying appellant 6/21/78 a variance for property at 1050 Treat Avenue.

Daniel Sullivan presented the case for the Zoning Administrator, Pat Mahoney and Ruth Barrett opposed this variance, and the appellant appeared with her representative. The board concurred 3 to 1 in the denial of the variance, with Commissioner Jackson voting to overrule.

APPEAL NO. 8262

Ed Litke, Appl. vs. S.F. Dept. of Public Works, Resp. (Fire Dept. Disapproval) Denying appellant 7/11/78 permit to alter a building at 918 Broderick Street.

Inspector O'Reilly outlined this appeal, Captain Russ McKlem spoke for the Fire Department, and James Tresslar represented the appellant. The board voted unanimously to overrule.

APPEAL NO. 8251

Charles Odem, Appl. vs. S.F. Police Dept., Resp. Denying appellant 6/13/78 permit as Driver of Public Vehicle.

Inspector Pat Burns appeared for the Police Department, and the appellant was present with his representative Michael Pruden of the Employment Law Center. The board overruled unanimously with stipulation that permit be granted for three months duration upon condition that appellant obtain valid driver's license.

At this time the board granted continuances to the August 16 meeting in Appeals 8272, 8260, 8274 and 8273 because of tonight's heavy agenda.

APPEAL NO. 8271

Robert J. Hanick, Appl. vs. S.F. Police Dept., Resp. (City Planning Disapproval) Denying appellant 7/13/78 permit for Place of Entertainment at 4300 Judah Street.

Inspector Pat Burns and Sergeant Mahoney appeared for the Police Department, Daniel Sullivan spoke for City Planning Department, and the appellant was

represented by his attorney John A. O'Connell. With Commissioner Engmann voting to concur, this appeal was denied for lack of the required four overrule votes. As the vote of the absent Commissioner might have affected the outcome of the ruling, rehearing was automatically granted, and scheduled for the next regular meeting.

APPEAL NO. V-8261

Telegraph Hill Dwellers, Appls. vs. S.F. Zoning Administrator, Resp.
Protesting the granting on 6/29/78 to Damner-Wyler Investments, variance for the property at 1255 Montgomery Street.

Carol Schwartzback and Nan Roth gave the grounds for this protest, Daniel Sullivan spoke for his department, and Mr. Wyler appeared for the owners of the subject property. The board scheduled a site inspection for Friday, August 4 and will hold further hearing on this matter at the next regular meeting.

APPEAL NO. 8267

Kathy and David Manace, Appls. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 7/11/78 to E. Lane, permit to alter building at 3961 Sacramento.

The appellants gave their reasons for this protest, Inspector O'Reilly participated in the hearing, and permit holder Mrs. Lane defended the permit. The board voted unanimously to concur in the granting of the permit.

APPEAL NO. V-8268

Edwin L. Stark, Appl. vs. S.F. Zoning Administrator, Resp.
Denying appellant 7/3/78 a variance for property at 76-78 Vicksburg Street.

Daniel Sullivan gave the Zoning Administrator's position, Michelle Clark, Brendon Fleming, and Sherry and Alec Bash opposed the variance. Appellant Edwin Stark appeared with his attorney David Clayton. The Commissioners arranged a site inspection for August 8 at 4:30 p.m. and continued this case to the next meeting.

Appeal No. 7736, remanded from Superior Court under Case No. 723-310, was on calendar for further consideration. Upon motion of Commissioner Engmann unanimously carried, action on this matter was put over one week so that an inquiry may be directed to the State Bar Association, and an effort made to obtain legal counsel pro bono.

There being no further business to come before the board, President Cerbatos announced adjournment at 11:00 p.m.

Agripino Cerbatos, President

Philip J. Siggins, Executive Director

MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

FRIDAY, AUGUST 4, 1978

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A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 4:00 p.m. on Friday, August 4, 1978 at 1255 Montgomery Street.

Present were: President Agripino R. Cerbatos
Commissioner David Scott
Commissioner Mattie Jackson
Commissioner Douglas Engmann

APPEAL NO. V-8261

Telegraph Hill Dwellers, Appls. vs. S.F. Zoning Administrator, Resp. Protesting the granting on 6/29/78 to Damner-Wyler Investments, variance for property at 1255 Montgomery Street.

The Commissioners viewed this site and considered the effect of the proposed variance on nearby properties. The meeting was then adjourned.

This appeal is scheduled for further hearing at the next regular meeting on August 16, 1978.

Philip J. Siggins
Executive Director

MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, AUGUST 8, 1978

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A special meeting of the Board of Permit Appeals was held at 4:30 p.m. on Tuesday, August 8, 1978 at 76-78 Vicksburg Street.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann

APPEAL NO. V-8268

Edwin L. Stark, Appl. vs. S.F. Zoning Administrator, Resp.
Denying appellant 7/3/78 a variance for property at 76-78 Vicksburg Street.

The Commissioners were shown this building and lot, and evaluated the probable effect of the proposed alteration. The special meeting was then adjourned.

This case will be on calendar for further hearing at the regular meeting of August 16, 1978.

Philip J. Siggins
Executive Director

AUG 24 1978

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Minutes

# MEETING OF THE BOARD OF PERMIT APPEALS
## CITY AND COUNTY OF SAN FRANCISCO
## WEDNESDAY, AUGUST 16, 1978

The regular meeting of the Board of Permit Appeals was held at 4:00 p.m. on Wednesday, August 16, 1978 in City Hall, Room 282.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

Also present were Carl Natvig of the Municipal Railway, Officers Pera, West, Mahoney, and Seybold of the Police Department, Captain Russ McKlem of the Fire Department, Inspector Schwabacher of the Department of Public Health, Sidney Shaw of City Planning Department, and Inspector Raymond McDonnell of the Department of Public Works. The proceedings were recorded by Doris Levine, the board's official hearing reporter.

Rehearing of Appeal No. 8242 was granted unanimously upon motion of Commissioner Jackson. Commissioner Berman's motion for rehearing of Appeal V-8256 was approved 4 to 1 with Commissioner Scott voting against the motion. Both rehearings will be held at the August 30 meeting.

The board held further discussion with Mrs. Ethel Maryanis, whose letter concerning the property at 554 - 12th Avenue was considered at the last meeting. Commissioner Engmann, the Executive Director, and a representative of the Department of Public Works will meet with Mrs. Maryanis at the site to assure her as to the legality of the approved plans.

In further hearing of Appeal No. V-8261, Carol Schwarzback spoke for the appellant-protestants, attorney Patricia A. Carson represented Mrs. Lippi who also opposes the variance, and owners Donald Wyler and Bert Damner defended the proposal. Sidney Shaw of the Planning Department gave information. The board voted unanimously to concur in the granting of the variance, with the following stipulations: (1) 32.5 foot rear yard to be maintained; (2) As a condition to this variance, an easement is to be maintained for access from fire escape and lower unit at 1255 Montgomery Street.

Appeal V-8268 was on calendar for further hearing. David Clayton, attorney for the appellant, and Chris Argyopoulos supported the variance, and Mr. and Mrs. Alec Bash appeared in opposition. Inspector McDonnell entered the discussion. The board voted unanimously to overrule this denial, with stipulation that garage roof not be used for a sundeck. See the board's findings for further information regarding this ruling.

Further hearing was held in Appeal No. 8239. The appellant, her attorney Joseph O'Donnell, and Steven Conrad spoke in opposition to the permit, and attorney Michael Ohleyer represented the permit holder. This matter was continued to August 30 so that the appellant-protestant may furnish a proposal and plans for an alternate structure, and in order that attorneys for both sides may negotiate.

APPEAL NO. 8269

Jerry W. Lee dba Song Hay Restaurant, Appl. vs. S.F. Dept. of Public Health, Resp.
Revocation on 7/13/78 of Food Preparation & Service Establishment permit at 650 Jackson Street.

Inspector Schwabacher appeared for the Health Department, and attorney K. Lambert Kirk represented the appellant. The board voted unanimously to concur in this revocation.

APPEAL NO. 8271

Robert J. Hanick, Appl. vs. S.F. Police Dept., Resp. (City Planning Disapproval)
Denying appellant 7/13/78 permit for Place of Entertainment at 4300 Judah Street.

Officer Michael Seybold and Sergeant Mahoney spoke for the Police Department, Sidney Shaw presented the case for City Planning Department, and Captain Russ McKlem spoke for the Fire Department. The appellant appeared with his attorney John A. O'Connell. The board voted 4 to 1 to overrule with the following stipulations: (1) Permit to be granted for six months duration; (2) Music not to be amplified. Commissioner Engmann voted to concur.

APPEAL NO. 8272

John F. Tice, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 7/14/78 permit as Second Hand Dealer at 172 Turk Street.

Officers Seybold and West spoke for the Police Department, and the appellant was represented by attorney Maurice Harband. After hearing all testimony, the board unanimously overruled this denial.

APPEAL NO. 8260

Hadjibaba Ahmadi, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 6/28/78 permit for Mechanical Amusement Devices at 730 Van Ness.

Officer Michael Pera appeared for the Police Department, and the appellant and his representative testified. The board voted unanimously to concur.

APPEAL NO. 8274

Robert W. Stolz, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 7/20/78 permit as Driver of Public Vehicle.

Officer Seybold spoke for the Police Department, and the appellant appeared in his own behalf. The board concurred 4 to 1, with Commissioner Engmann voting to overrule.

APPEAL NO. 8277

Jesus Losa, Appl. vs. S.F. Police Dept., Resp.
Denying appellant permit to operate 25-passenger jitney bus.

Officer Michael Seybold testified for the Police Department, Carl Natvig appeared for the Municipal Railway in opposition to the permit, and attorney Jeremiah O'Shea spoke for the appellant, who was also present. With Commissioner Jackson voting to concur, the board overruled this denial 4 to 1.

APPEAL NO. 8265

John H. Peters, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Dept.)
Denying appellant 7/13/78 permit to alter a building at 155-157 Fillmore Street.

Sidney Shaw spoke for City Planning Department, and the appellant appeared. After considering all circumstances, the board voted unanimously to overrule.

APPEAL NO. 8273

Lewis & Patricia Durham, Appls. vs. S.F. Dept. of Public Works (City Planning Disapp.)
Denying appellants 7/19/78 permit to alter a building at 232-238 San Jose Avenue.

Sidney Shaw testified for his department, and Robert Johnson appeared on behalf of the appellants. The board arranged a site inspection for Tuesday, August 22 at 4:30 p.m. and continued this appeal one week.

APPEAL NO. 8275

E. Loren Aufdenkamp, Appl. vs. S.F. Dept. of Public Works, Resp. (Fire Dept. Disapp.)
Denying appellant 7/26/78 permit to alter a building at 2520-2530 Broadway.

Inspector Raymond McDonnell read the letter from his department, Captain McKlem spoke for the Fire Department, and the appellant appeared. This matter was continued one week for more information as to the length of time five floors of occupancy have existed.

APPEAL NO. 8276

Dr. E. Wortham, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 7/27/78 permit to alter a building at 455 Hyde Street.

Inspector McDonnell outlined this appeal, and C. L. Paige represented the appellant. The board overruled unanimously with stipulation that wire mesh glass be used with aluminum sash windows opening onto fire escape balconies.

APPEAL NO. 8279

Terence Hurley, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 7/19/78, building permit for orperty at 902 Corbett.

The person whom the appellant had authorized to represent him did not appear. Ms. Krohn spoke, and permit holder Henry Rabbit testified. The board voted unanimously to concur in the granting of the permit.

APPEAL NO. 8281

Claire Gilpin, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Disapp.)
Denying appellant 7/26/78 permit to alter a building at 708 North Point.

Sidney Shaw appeared for City Planning Department, Inspector McDonnell spoke, and the appellant appeared with her witness Sol M. Storemen. The board voted unanimously to overrule with intent that the building contains two dwelling units and one housekeeping room with cooking (I occupancy) and with the stipulation that electric cooking facilities be provided for housekeeping room.

APPEAL NO. 8282

M. Rogerson & S. Berlove, Appls. vs. S.F. Dept. of Public Works (Fire Dept. Disapp.)
Denying appellants 8/2/78 permit to alter a building at 3516 Sacramento Street.

Inspector McDonnell read the letter from his department, Captain McKlem spoke for the Fire Department, and Sandy Berlove appeared for the appellants. The board voted unanimously to overrule with the following stipulations: (1) One-hour fire resistive material to be provided on walls and ceiling of commercial space to provide separation from the rest of the building; (2) Sprinklering to be installed on commercial floor; (3) Lightwell stairway to be sprinklered; (4) Water heater to be enclosed with one-hour fire resistive material; (5) Basement level area to be provided with one-hour fire resistive material.

Appeal No. 7736, remanded from Superior Court, was on calendar for further consideration. The Executive Director made his report, and the board dropped this matter from calendar pending result of the appellate court action being filed by the City Attorney.

There being no further business, President Cerbatos announced adjournment at 11:00 p.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

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# MEETING OF THE BOARD OF PERMIT APPEALS

## CITY AND COUNTY OF SAN FRANCISCO

## TUESDAY, AUGUST 22, 1978

A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held on Tuesday, August 22, 1978 at 4:30 p.m. at 232-238 San Jose Avenue.

Present were: President Agripino Cerbatos
Vice President David Scott
Commissioner Mattie Jackson
Commissioner Douglas Engmann
Commissioner Henry Berman

APPEAL NO. 8273

Lewis & Patricia Durham, Appls. vs. S.F. Dept. of Public Works, Resp.
City Planning Dept. Disapproval

Denying appellants 7/19/78 permit to alter a building at 232-238 San Jose Ave.

The board members inspected this parcel and the buildings thereon, and evaluated the effect of the requested permit. The meeting was then adjourned.

This appeal is scheduled for further hearing at the regular meeting of Wednesday, August 23, 1978 at 4:00 p.m.

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, AUGUST 23, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 4:00 p.m. on Wednesday, August 23, 1978 in Room 282 of City Hall.

Present were: President Agripino Cerbatos
Vice President David Scott
Commissioner Mattie Jackson
Commissioner Douglas Engmann
Commissioner Henry Berman

Also present were Sidney Shaw of City Planning Department, Acting Captain Hesse of the Fire Department, Inspector Stanley Spears of the Department of Public Works, Inspector Chong Ku of the Health Department, Officer Michael Seybold of the Police Department, and the board's official hearing reporter Doris Levine.

Rehearing of Appeal No. 8260 was denied for lack of a motion.

The board considered a letter of August 1, 1978 from attorney Martin Eber regarding Appeal No. 8103, requesting action in light of the recent Superior Court decision regarding permits for retail dealers in firearms. Motion to rescind the board's previous ruling in this appeal was carried unanimously.

Upon motion of Commissioner Jackson unanimously approved, the decision in Appeal No. 8269 will be amended.

Regarding Appeal 8242 which will be on calendar at the next regular meeting, the board scheduled a site inspection for Monday, August 28 at 4:30 p.m.

The Executive Director made a report on a problem regarding business parking for Wells Fargo Bank at Geary and Arguello. It was the board's conclusion that they lack jurisdiction to take any action at this time.

In further hearing of Appeal 8273, Sidney Shaw of City Planning Department spoke, and Robert Johnson represented the appellants. This matter was continued one more week so that the appellants may produce copies of all permits relating to this property.

Further hearing was held regarding Appeal No. 8275. Action Captain Hesse spoke for the Fire Department, and the appellant appeared. The board voted unanimously to overrule with stipulation that Fire Department requirements for life safety be met.

APPEAL NO. 8290

Thomas Dandurand, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 8/8/78 plumbing permit to install bathroom at 148 Lake Merced Hill.

Inspector Stanley Spears spoke for the Department of Public Works, and the appellant appeared. After considering the circumstances, the board unanimously overruled.

Appeals 8291, 8294, 8296 and V-8248 have been continued by agreement with all interested persons.

APPEAL NO. 8288

Servosnax, Inc., Appl. vs. S.F. Dept. of Public Works, Resp. (Health Dept.)
Appealing requirement imposed by Dept. of Public Health to install floor drain at 300 Montgomery Street.

Inspector Chong Ku spoke for the Department of Public Health, and Al Calbreath represented the appellants. The board voted unanimously to overrule with stipulation that no cooking be performed on the premises.

APPEAL NO. 8289

Pepe Lozano, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 8/2/78 permit as Driver of Public Vehicle.

Officer Michael Seybold spoke for the Police Department, and the appellant appeared with his witness John Prescoline. The board unanimously overruled with stipulation that permit be reviewed by the Police Department six months after issuance.

APPEAL NO. 8295

Wallace J. Austin, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 8/2/78 permit as Driver of Public Vehicle.

Officer Seybold represented the Police Department, and the appellant spoke in his own behalf. This case was continued one week for investigation of alternative employment.

APPEAL NO. 8286

Otto Pasian, Appl. vs. S.F. Dept. of Public Works, Resp. (Fire Dept. Disapproval)
Denying appellant 8/4/78 permit to alter a building at 2920 Buchanan Street.

Acting Captain Hesse spoke for the Fire Department, Inspector Spears appeared for the Department of Public Works, and the appellant testified. This matter was continued one week so that the appellant may amend the appeal to include plastic pipe to be used in Jacuzzi.

APPEAL NO. 8293

James Kelleher, Appl. vs. S.F. Dept. of Public Works, Resp. (Fire Dept. Disapproval)
Denying appellant 8/9/78 permit to alter a building at 1945 Union Street

Inspector Spears outlined this appeal, and Acting Captain Hesse spoke for the Fire Department. The appellant also appeared. This case was continued one week for list of Fire Department requirements and possible amending of the appeal to include those items.

APPEAL NO. 8285

Angelo Sangiacomo dba Trinity Properties, Appl. vs. S.F. Dept. of Public Works, Resp.
City Planning Dept. Disapproval
Denying appellant 7/25/78 permit to erect a structure at 1059 Union Street.

Attorney Nicholas Damer appeared for the appellant, and Thomas Schwartz and Carl Berry represented neighborhood opposition. A determination was made as to issues that would be reviewed by the board when considering the merits of the appeal, and the matter was continued to the September 6 meeting.

APPEAL NO. 8284

Tim Dawson, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Dept. Disapp.)
Denying appellant 7/31/78 permit to alter a building at 2264-2268 Green Street.

Sidney Shaw presented the case for City Planning Department, and the appellant spoke. The board continued this appeal one week so that a copy of the application in the previous appeal may be examined.

APPEAL NO. 8283

Gunther Gopp, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 8/1/78 permit to alter a building at 43 Douglas Street.

Inspector Stanley Spears read the letter from his department, and the appellant spoke. After considering all facts, the board voted unanimously to overrule.

APPEAL NO. 8292

Millard Kurtz, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 8/9/78 to Donald Collins, permit to alter a building at 15 Fountain Street.

The appellant gave his grounds for this protest, and Robert Mattox and Joan Leaf also appeared in opposition to the permit. Permit holderDonald Collins and his attorney Frederick Mahan defended the permit, and Inspector Spears participated in the discussion. This appeal was continued for one week pending a report from the Department of Public Works.

There being no further business to come before the board, President Cerbatos announced adjournment at 9:02 p.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

MONDAY, AUGUST 28, 1978

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A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held on Monday, August 28, 1978 at 4:30 p.m. at 63 Douglas Street.

Present were: President Agripino Cerbatos
Vice President David Scott
Commissioner Mattie Jackson
Commissioner Douglas Engmann
Commissioner Henry Berman

APPEAL NO. 8242

Maria Clever, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Disapp.) Denying appellant 6/15/78 permit to alter a building at 63 Douglas Street.

The Commissioners inspected this parcel and the buildings thereon, and gave attention to matters at issue in the appeal. The meeting was then adjourned.

This appeal will be on calendar for rehearing at the regular meeting on Wednesday, August 30, 1978.

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, AUGUST 30, 1978

The regular meeting of the Board of Permit Appeals of the City And County of San Francisco was called to order at 4:30 p.m. on Wednesday, August 30, 1978 at City Hall, Room 282.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

Also present were Inspector Spears of the Department of Public Works, Captain Russ McKlem of the Fire Department, Sidney Shaw and Nancy Gin of City Planning Department, Inspector Paul Schwabacher of the Department of Public Health, and the board's official hearing reporter Doris Levine.

Upon motion of Commissioner Scott, the appellant's request for rehearing of Appeal No. V-8268 was unanimously granted, and scheduled for the next meeting. Rehearing of Appeal V-8261 was denied for lack of a motion. The Public Utilities Commission's request for rehearing in Appeal No. 8277 was unanimously granted upon motion of Commissioner Jackson, and this rehearing was also scheduled for September 6.

Appeal 8287 has been withdrawn in writing and dropped from calendar.

As the appellant in Appeal No. 8284 did not furnish the additional evidence requested at the last meeting, the board acted on this appeal, concurring unanimously in the departments' position.

In further hearing regarding Appeal No. 8292, the board heard from appellant-protestant Millard Kurtz, Mrs. Robert Mattox who also opposed the permit, permit holder Donald Collins, and Inspector Spears. In a 3 to 2 vote with Commissioners Scott and Engmann voting to overrule, the board concurred in the granting of this permit.

Concerning Appeal 8239, attorney O'Sullivan was granted a continuance to the next meeting, for completion of alternate plans now in preparation by the appellant-protestant's architect.

Further hearing was held in Appeal No. 8273. Robert Johnson spoke for the appellants, and Captain Russ McKlem appeared. The board voted unanimously to concur in this denial.

In further hearing of Appeal 8293, Captain McKlem spoke for the Fire Department and the appellant appeared. The board unanimously overruled with the intent that only the first floor of occupancy need be sprinklered, and with stipulation that dry standpipe be installed.

In further hearing of Appeal No. 8286, amendation of the appeal was accepted to include plastic pipe in the Jacuzzi bath. After hearing testimony from Captain McKlem of the Fire Department, Inspector Spears, and the appellant, the board unanimously overruled.

The appellant in Appeal 8295 appeared and was granted a continuance to the next meeting so that his witness may be present.

APPEAL NO. 8291

Michael J. Moloney, Appl. vs. S.F. Dept. of Public Health, Resp. (City Planning Dept.)
Denying appellant 8/1/78 permit for Food Product and Marketing Establishment at 3621 Taraval Street.

Sidney Shaw gave the position of City Planning Department, Inspector John O'Rourke represented the Health Department, Edgar Friedman expressed neighborhood opposition, and the appellant appeared. After considering all circumstances, the board voted 4 to 1 to overrule, with Commissioner Engmann concurring.

APPEAL NO. 8294

Ronald Engelen, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 8/3/78 permit to alter a building at 2026 Lombard Street.

Inspector Spears read the letter from his department, and architect Ronald Young represented the appellant. The board voted unanimously to overrule.

APPEAL NO. 8298

William W. Jones, Appl. vs. S.F. Dept. of Public Health, Resp.
Denying appellant 8/9/78 permit for Food Preparation and Service Establishment at 1015 Folsom Street.

Inspector Paul Schwabacher spoke for the Department of Public Health, and the appellant testified in his own behalf. After hearing all facts, the board voted

unanimously to overrule with the following stipulations: (1) No food to be prepared on the premises; (2) Disposable plates, cups, and utensils to be used; (3) Only utensils to be washed in sink.

APPEAL NO. 8280

Ralph K. Davies Medical Center, Appl. vs. S.F. Zoning Administrator, Resp.
Appealing determination of the Zoning Administrator dated 7/21/78 regarding Ralph K. Davied Medical Center, Castro and Duboce.

Sidney Shaw presented the case for the Zoning Administrator, Sue Hestor spoke in support of the Zoning Administrator's position, and attorney Russ Carpenter, Jack Howser, and architect Mr. Testo appeared for the appellants. This appeal was continued one week for more data.

APPEAL NO. 8302

Brian Weatherhill, Appl. vs. S.F. Fire Dept., Resp.
Denying appellant 8/21/78 permit for Automobile Parking Station at 1668 Lombard.

Captain Russ McKlem spoke for the Fire Department, Jim Bernstein, Yolanda Pellegrini, and Jesse Cabaleri opposed the parking station, and appellant Brian Weatherhill appeared with his attorney Alax Axelrod and architect Charles Weisner. This case was continued one week for negotiations between the appellant and representatives of the neighborhood opposition.

Appeal No. 8242 was on the agenda for rehearing. Nancy Gin spoke for City Planning Department, and the appellant appeared with his witness Wesley Archer. With Commissioners Scott and Berman voting to concur, this appeal was denied for lack of the required four overrule votes.

Appeal No. V-8256 was on calendar for rehearing. The appellant and her representative presented alternate proposals, and Sidney Shaw spoke for the Zoning Administrator. The board voted unanimously to overrule, with stipulation that construction conform to drawing designated as Drawing No. 3, attached to and made a part of the board's Notice of Decision and Order.

APPEAL NO. V-8297

Gordon A. Phillips, Appl. vs. S.F. Zoning Administrator, Resp.
Denying appellant 8/11/78 a variance for property at 3931 - 19th Street.

Sidney Shaw spoke for his department, and the appellant appeared. After considering all testimony presented, the board voted unanimously to overrule.

APPEAL NO. 8301

Kevin Webb, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 8/16/78 to Cornelius Corkery, permit to erect a structure at 1628-1630 - 48th Avenue.

The appellant gave his grounds for this protest, and Mrs. Cornelius Corkery appeared in defense of the permit. The board concurred unanimously in the granting of this permit, with stipulations that wood shingles be included in design elements of front of structure, and bronze anodized window sashes be used.

APPEAL NO. 8303

Lela Thomas, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 8/15/78 to Linebarger Construction Co., permit to alter a building at 131 Harkness Street.

The appellant stated her grounds for this protest, and two representatives of Linebarger Construction Company appeared, including engineer Sam Schneider. The board concurred unanimously in the granting of the permit.

There being no further business to come before the board, President Cerbatos announced adjournment at 10:55 p.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, SEPTEMBER 6, 1978

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The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 4:00 p.m. on Wednesday, September 6, 1978 in Room 282 of City Hall.

Present were: President Agripino Cerbatos
Vice President David Scott
Commissioner Mattie Jackson
Commissioner Henry Berman

Also present were Inspector Garry O'Reilly of the Department of Public Works, Daniel Sullivan and Nancy Gin of City Planning Department, Officer Michael Seybold of the Police Department, Lieutenant O'Brien of the Fire Department, and Inspector William Noll of the Department of Public Health. The proceedings were recorded by Doris Levine, the board's official hearing reporter.

After discussion with the appellant regarding Fire Department requirements, Commissioner Berman withdrew his motion for rehearing of Appeal 8275 and rehearing was therefore denied.

Appeal No. 8309 has been continued to September 20 by agreement of all concerned.

The appellant and other interested persons were present regarding Appeal 8239, and by agreement of all, this matter was continued to October 4 to allow time for proposed alternative plans to be studied.

APPEAL NO. 8285

Angelo Sangiacomo dba Trinity Properties, Appl. vs. S.F. Dept. of Public Works, Resp.
(City Planning Dept. disapproval)

Denying appellant 7/25/78 permit to erect a structure at 1059 Union Street.

Daniel Sullivan and Lieutenant O'Brien spoke for their departments. Appearing in opposition to this permit were Stewart Patt, Carl Berry, Thomas Swartz, Susan Fong, and Brice Conant. The appellant appeared with his attorney Nicholas Damer and architect Carl Trapinger. After considering all testimony, the board voted unanimously to overrule, with stipulation that all mitigations enumerated in the Planning Department's negative declaration be met.

APPEAL NO. 8296

Jayne Ramorino, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 8/8/78 to Ruth Folsom, permit to erect fence at 374 Valley.

Appellant Jayne Ramorino and Ed Rodriguez gave the grounds for this protest. Inspector Garry O'Reilly participated in the discussion, and permit holder Ruth Folsom defended the permit. After hearing all arguments, the board voted unanimously to concur in the granting of the permit, with stipulation that angled portion of fiberglass be omitted from fence.

Appeal No. 8277 was on calendar for rehearing. Michael Seybold spoke for the Police Department, and Curtis Green, Director of the Municipal Railway and Larry Martin of the Transport Workers Union opposed the permit. The appellant appeared and was granted a continuance to the next meeting so that his attorney may represent him.

In further hearing of Appeal 8295, the appellant and his witness Essie Collins spoke. With Commissioner Scott voting to concur, this appeal lacked the necessary four overrule votes. Since the vote of the absent Commissioner might have changed the outcome, rehearing was automatically granted, to be held late in September before the full five-member board.

APPEAL NO. 8299

Bo Ayres, Appl. vs. S.F. Dept. of Public Health, Resp.
Appealing cease and desist order of 8/22/78 regarding use of premises at 175 Henry Street, and question of this board's jurisdiction.

Inspector William Noll spoke for the Health Department, and the appellant appeared with his attorney John Houston Scott. The board considered the question of jurisdiction, ruling that jurisdiction is lacking inasmuch as no permit has been denied, and the animals kept by the appellant are not permitted under the applicable provisions of the Health Code.

Appeal V-8268 was on calendar for rehearing. Daniel Sullivan appeared for City Planning Department, Alec Bash and Bernard Fleming opposed the variance, and appellant Edwin Stark appeared with his attorney David Clayton. The board overruled unanimously with the following stipulations, supplanting their ruling of August 16, 1978: (1) Renovation of wash room to be permitted only within the existing enclosure; (2) Railing around deck on garage roof not to exceed three feet in height.

Further hearing was held regarding Appeal No. 8280. Appearing in opposition to Ralph K. Davis Medical Center's project were Dale Champion, Peter Persley, Evelyn Dawe, Karen O'Connell and Sue Hestor. The appellants were represented by attorney Russell B. Carpenter, Jack Howser, and George Bonnano. With Commissioners Cerbatos and Scott both voting to concur, this appeal lacked the four votes necessary to overturn the department's ruling.

In further hearing of Appeal 8302, the board heard from attorney Alan B. Axelrod and the appellant, and from Jim Bernstein and Joseph Cavaleri representing the neighborhood. After hearing their reports, the board voted unanimously to overrule with the following stipulations: (1) Two lights in parking area to be disconnected as agreed; (2) Lower wattage to be used in the three remaining lights; (3) Height of lights to be adjusted as agreed; (4) Ten-foot fence to be located where adjoining property owners agree; (5) Acoustical material to be provided in passageway from Lombard Street to parking lot; (6) Gate to be connected to burglar alary system for security when lot is not in use.

Appeal No. V-8248 was on the agenda for rehearing. Nancy Gin presented the case for the Zoning Administrator, and the appellant appeared with attorney Barry Willdorf and witness Mr. Volkers. As Commissioner Scott voted to concur, this appeal was denied for lack of the required four overrule votes.

APPEAL NO. 8307

Joseph Lilly & William Heyer, Appls. vs. S.F. Dept. of Public Works, Resp. (City Planning Dept. Disapproval)

Denying appellants 8/25/78 permit to alter a building at 3001 Market Street.

Daniel Sullivan spoke for City Planning Department, and both appellants appeared. After hearing the facts, the board voted unanimously to overrule with stipulation that no further commercial development be introduced in the building.

The following two appeals were heard together:

APPEAL NO. 8305

G. R. Baldwin, Appl. vs. S.F. Dept. of Public Works, Resp.

Protesting issuance on 8/23/78 to F. Bentel, permit to erect structure at 70 Banks.

APPEAL NO. 8306

G. R. Baldwin, Appl. vs. S.F. Dept. of Public Works, Resp.

Protesting issuance on 8/23/78 to F. Bentel, permit to erect structure at 74 Banks.

Mr. Boyle, representing the appellant-protestant, gave the grounds for these protests, and permit holder F. Bentel spoke. With Commissioners Cerbatos and Berman voting to concur in the granting of the permits, these two protests lacked the necessary four overrule votes, and the appeals were therefore denied.

APPEAL NO. 8308

Fat Kuen Wong, Appl. vs. S.F. Dept. of Public Works, Resp.

Protesting issuance on 8/16/78 to Mrs. Lau, permit to alter building at 1528-1532 Grant.

Mr. and Mrs. Fat Kuen Wong and Gloria Shalmer gave the grounds for this protest, and Benson Lau appeared on behalf of the permit holder. The board scheduled a site inspection for Monday, September 11 and will hold further hearing at the next regular meeting.

APPEAL NO. 8312

Debra Nichols, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 9/1/78 permit to erect a sign at 216 Stockton Street.

Inspector O'Reilly outlined this appeal, and the appellant testified. After considering all circumstances, the board unanimously overruled.

A letter dated August 31, 1978 from attorney Peter P. Machi was before the Board, concerning Planning Commission Resolution No. 8017 regarding Bernal Heights. The board affirmed that no jurisdiction for an appeal exists at this time.

There being no further business, President Cerbatos announced adjournment at 2:00 a.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, SEPTEMBER 20, 1978

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The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 4:00 p.m. on Wednesday, September 20, 1978 in Room 282 of City Hall.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Henry E. Berman

Also present were Daniel Sullivan of City Planning Department, Officer Michael Seybold of the Police Department, Inspector Raymond McDonnell of the Department of Public Works, and the board's official hearing reporter, Doris Levine.

Upon motion of Commissioner Berman, rehearing of Appeal 8273 was unanimously granted, and scheduled for the October 4 meeting. Consideration of the appellants' request for rehearing of Appeal 8280 was put over for a full five-member board. Rehearing of Appeal No. 8285 was denied for lack of a motion.

Letter dated September 8, 1978 from Qantas Airways was before the board, seeking to file a protest appeal beyond the ten days against demolition permit for the Fitzhugh Building. After discussion, the board accepted jurisdiction of an appeal.

APPEAL NO. 8304

Carl Kuhn, Appl. vs. S.F. Zoning Administrator, Resp.
Protesting determination of the Zoning Administrator dated 8/15/78 regarding property at 60 Palo Alto Avenue.

Attorney J. Ronald Pengilly spoke for the appellant-protestant, Daniel Sullivan represented the Zoning Administrator, and Hugh Reynolds, owner of the subject property, appeared. The board concurred unanimously in the Zoning Administrator's determination.

Appeal 8277 was on calendar for further hearing. Officer Michael Seybold spoke for the Police Department, Curtis Green, General Manager of the Municipal Railway appeared in opposition to the permit, and the appellant appeared with his attorney Jeremiah F. O'Shea and Mr. Munoz, who supported the granting of the permit. With Commissioner Jackson voting to concur, the appeal lacked the necessary four overrule votes. Since the vote of the absent Commissioner might have affected the outcome, the board rescinded their ruling and continued this matter for a full five-member board.

Further hearing was held in Appeal 8308, with Mr. and Mrs. Fat Kuen Wong and Benson Lau appearing. A new date was scheduled for the site inspection, and this appeal was continued to the next regular meeting.

Appeals 8310 and 8309 have been continued to the next meeting upon agreement of all interested persons.

APPEAL NO. 8311

Hubert O. Monroy, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 8/21/78 permit as Retail Dealer in Firearms at 1795 - 38th Avenue.

Officer Michael Seybold appeared for the Police Department, Ray Jones spoke in opposition to the permit, and the appellant testified. At the request of the appellant, this matter was continued one week so that an attorney may represent him.

APPEAL NO. 8320

Christopher A. Brose, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 9/8/78 permit to alter a building at 625 Ortega.

Inspector Raymond McDonnell outlined this appeal, and the appellant appeared. The board overruled unanimously with stipulation that chimney extend one foot above roofline.

APPEAL NO. 8300

Eric Alexanderson, Appl. vs. S.F. Zoning Administrator, Resp.
Appealing determination of the Zoning Administrator dated 8/18/78 regarding property at 1238-1244 Castro Street.

Daniel Sullivan presented the case for the Zoning Administrator, and the appellant appeared with attorney Mr. Appenrod and witnesses Mr. James and Robert Hanning. After hearing all arguments, the board unanimously overruled.

APPEAL NO. V-8319

Sean Roche, Appl. vs. S.F. Zoning Administrator, Resp.
Denying appellant 8/31/78 a variance for property at 740 - 21st Avenue.

Daniel Sullivan spoke for his department, Mr. Danekas and James D. Lucey opposed the variance, and the appellant was represented by Mr. Bauman. The board unanimously overruled with the following stipulations: (1) 10-foot setback to be provided, with no construction encroaching into the setback area; (2) Landscaping to be provided, particularly on the north side of the property; (3) Depth of building to be 56 feet; (4) Rear yard 54 feet deep to be maintained.

The following four appeals were heard as one:

APPEAL NO. 8315

Tiger Wong et al, Appls. vs. S.F. Dept. of Public Works, Resp. (City Planning Disapp.)
Denying appellant 8/30/78 permit to alter a building at 6 Old Chinatown Lane.

APPEAL NO. 8316

Tiger Wong et al, Appls. vs. S.F. Dept. of Public Works, Resp. (City Planning Disapp.)
Denying appellant 8/30/78 permit to alter a building at 8 Old Chinatown Lane.

APPEAL NO. 8317

Tiger Wong et al, Appls. vs. S.F. Dept. of Public Works, Resp. (City Planning Disapp.) Denying appellant 8/30/78 permit to alter a building at 10 Old Chinatown Lane.

APPEAL NO. 8318

Tiger Wong et al, Appls. vs. S.F. Dept. of Public Works, Resp. (City Planning Disapp.) Denying appellant 8/30/78 permit to alter a building at 12 Old Chinatown Lane.

Daniel Sullivan spoke for City Planning Department, Mr. Choy opposed these permits, and the appellant appeared with his attorney Lloyd Graybiel. These cases were continued to the next meeting for further information.

APPEAL NO. 8321

Benjamin Wong, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Dept.) Denying appellant 9/11/78 permit to alter a building at 519 - 12th Avenue.

Daniel Sullivan spoke for his department, Inspector Raymond McDonnell represented the Department of Public Works, a nearby property owner appeared in opposition to the permit, and the appellant spoke in his own behalf. This appeal was continued for further hearing on October 4.

APPEAL NO. 8313

Ray Michelis, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 8/25/78 to Isador Vance, permit to alter a building at 66 Levant.

The appellant-protestant gave his grounds for the protest, and permit holder Isador Vance appeared. After hearing the facts, the board unanimously concurred in the granting of the permit.

Appeal No. 8314 was withdrawn before the hearing date.

APPEAL NO. 8322

Joseph Farr, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 9/5/78 to G. Galvins, permit to alter building at 557 Jersey.

Appellant-protestant Joseph Farr presented the grounds for the appeal, and permit holder Galvins appeared. After consideration of all material presented, the board unanimously concurred in the granting of the permit.

There being no further business to come before the board, President Cerbatos announced adjournment at 11:00 p.m.

Agripino Cerbatos, President

Philip Siggins, Executive Director

MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, SEPTEMBER 26, 1978

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A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held on Tuesday, September 26, 1978 at 9:00 a.m. at 1528-1532 Grant Avenue. This meeting was to have been held on Monday, September 11, but was rescheduled to today by agreement at the regular meeting of September 20.

Present were: President Agripino Cerbatos
Vice President David Scott
Commissioner Mattie Jackson
Commissioner Henry Berman

APPEAL NO. 8308

Fat Kuen Wong, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 8/16/78 to Mrs. Lau, permit to alter a building at 1528-1532 Grant Avenue.

The Commissioners assembled at the site, and estimated the effect of the proposed structural addition on the property of the appellant-protestant at 17 Harwood Alley. The meeting was then adjourned.

This appeal will be on calendar for further hearing at the regular meeting tomorrow evening.

Philip J. Siggins
Executive Director

Postponed, on timetable of Item 18. Therefore not shown on timesheet. Item 17 taken meeting actually ended. PJM.

7/78

# MEETING OF THE BOARD OF PERMIT APPEALS
## CITY AND COUNTY OF SAN FRANCISCO
## WEDNESDAY, SEPTEMBER 27, 1978

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Minutes

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 4:00 p.m. on Wednesday, September 27, 1978 in City Hall, Room 282.

Present were: President Agripino R. Cerbatos
Vice President David Scott
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

Also present were Inspector Chin of the Department of Public Health, Officer Michael Seybold of the Police Department, and Inspector Raymond McDonnell of the Department of Public Works. The proceedings were recorded by Doris Levine, the board's official Hearing Reporter.

Rehearing of Appeal No. 8291 was denied for lack of a second to Commissioner Engmann's motion.

Letter of September 26, 1978 from attorney Barry Kanel was before the board, seeking permission for his client Roy Guinnane to file an appeal beyond the ten days. This matter was continued one week for further information from Mr. Guinnane.

Appeals 8315 through 8318 have been continued to October 4 at the request of the appellant's attorney, and with agreement of the department concerned. Appeal 8329 has been withdrawn and dropped from calendar.

As the appellant in Appeal 8311 did not appear for further hearing, the board ruled on this case, concurring unanimously in the denial of the permit.

Regarding Appeal 8308, the permit holders did not appear when this matter was called, and the appeal was continued one week at the request of appellant's representative Mr. Chow.

### APPEAL NO. 8310

David J. Neumann, Appl. vs. S.F. Dept. of Public Works, Resp. (Health Dept. Disapp.) Denying appellant 8/31/78 permit to alter a building at 1049 Market Street.

Inspector Chin spoke for the Health Department, and the appellant testified. This appeal was continued one week for more detailed plans and information.

No one appeared on behalf of the appellants in Appeal 8323, and the board put over this hearing to October 18.

APPEAL NO. 8331

Qantas Airways, Ltd., Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 8/1/78 to Dinwiddie Construction Company, demolition permits for Fitzhugh Building, 384 Post Street and 430 Powell Street.

Inspector Raymond McDonnell gave information, and Marc Monhumer appeared for the permit holders. Qantas Airways having expressed their desire to withdraw the protest, the board accepted the withdrawal unanimously.

Further hearing of Appeal No. 8295 was continued one week for the full five-member board.

APPEAL NO. 8309

Harry Guthertz, Appl. vs. S.F. Police Dept., Resp.
Denying appellant Peddler's Permit to sell engraved pennies at northeast corner of California and Grant, Powell and Market, and in front of the Cliff House.

Officer Michael Seybold spoke for the Police Department, Alan Young opposed the granting of the permit, and the appellant appeared with his attorney Ben Barkan. The board voted 3 to 1 to concur in this denial, with Commissioner Berman voting to overrule.

APPEAL NO. 8325

Dianna Talavera, Appl. vs. S.F. Police Dept., Resp.
Revocation on 9/11/78 of permit as Masseuse at 458-460 Broadway.

Officer Michael Seybold spoke for the Police Department, and attorney James Murray appeared with the appellant. The board overruled unanimously.

APPEAL NO. 8328

Roberta Dobshaw, Appl. vs. S.F. Police Dept., Resp.
Revocation on 9/11/78 of permit as Masseuse at 458-460 Broadway.

Officer Michael Seybold appeared for his department, and the appellant appeared with attorney James Murray. The board voted unanimously to overrule, with stipulation that permit be reviewed by the Police Department 90 days after issuance.

APPEAL NO. 8326

Harry Goldfinger, Appl. vs. S.F. Police Dept., Resp.
Revocation on 9/11/78 of permit to operate Massage Establishment at 458-460 Broadway.

Officer Michael Seybold presented the case for the Police Department, and attorney Charles A. Davis represented the appellant. The board overruled unanimously with stipulation that permit be reviewed by the Police Department 90 days after reinstatement.

APPEAL NO. 8327

Carl S. Hays, Appl. vs. S.F. Police Dept., Resp.
Revocation on 9/11/78 of permit as Driver of Public Vehicle.

Officer Seybold testified for the Police Department, and the appellant spoke in his own behalf. With Commissioner Engmann voting to concur, the appeal was denied for lack of the required four overrule votes. Since the vote of the absent Commissioner might have affected the outcome, rehearing was automatically granted and scheduled for October 4.

Announcement was made that Appeal No. V-8330 had been withdrawn, and the board accepted the withdrawal and dropped this matter.

Regarding Appeal No. 8324, Commissioner Scott announced that a conflict of interest exists and that he would therefore abstain from voting. Since a quorum was then lacking for this appeal, hearing will be held at the next meeting.

APPEAL NO. 8332

Maria A. Spataro, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 9/11/78 permit as Driver of Public Vehicle.

Officer Seybold spoke for the Police Department and the appellant appeared. After hearing all facts, the board unanimously overruled, with stipulation that permit be reviewed by the Police Department 90 days from date of issuance.

There being no further business to come before the board, President Cerbatos announced adjournment at 10:00 p.m.

Agripino R. Cerbatos, President

Philip J. Siggins, Executive Director

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Minutes

MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, OCTOBER 4, 1978

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The Board of Permit Appeals held its regular meeting at 4:00 p.m. on Wednesday, October 4, 1978 in City Hall, Room 282.

Present were: President Agripino Cerbatos
Vice President David Scott
Commissioner Mattie Jackson
Commissioner Douglas Engmann
Commissioner Henry Berman

Also present were Inspector Charles Ku of the Health Department, Daniel Sullivan of City Planning Department, Officers Seybold and Dangerfield of the Police Department, Inspector Raymond McDonnell of the Department of Public Works, and Doris Levine, the board's official hearing reporter.

Commissioner Berman moved to grant the appellant's request for rehearing of Appeal 8280; Commissioner Jackson seconded the motion. With the other three Commissioners voting against the motion, rehearing was denied. Rehearing of Appeal No. 8304 was denied for lack of a motion.

Communication from Victor Warren seeking to file a protest beyond the ten days regarding demolition of the Fitzhugh Building was before the board for consideration. Mr. Warren did not appear. After discussion with Inspector McDonnell concerning his department's procedures, Commissioner Engmann's motion to accept jurisdiction received no affirmative votes.

Letter of September 19, 1978 from Fire Marshal William Graham regarding his department's requirements in Appeal 8293 was considered by the board. The Commissioners agreed that a stipulation for either wet or dry standpipe would be acceptable to them.

In further hearing of Appeal No. 8239, attorney Joseph D. O'Sullivan and architect Kirby W. Fitzpatrick spoke for the appellant, who was also present. Attorney Michael Ohleyer and soil engineer Donald Hillebrandt appeared for the permit holder. After hearing all testimony, the board concurred 3 to 2 in the granting of the permit, with Commissioners Scott and Engmann voting to overrule.

Appeal 8273 was on calendar for rehearing. Attorney David Clayton spoke for the appellants, and Daniel Sullivan participated in the discussion. The board voted 4 to 1 to concur in the denial of the permit, with Commissioner Jackson voting to overrule.

APPEAL NO. 8324

Eileen Herlihy, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 9/5/78 to Paul Bernstein, permit to alter a building at 71 Eagle Street.

The appellant gave her grounds for this protest, permit holder Paul Bernstein defended the permit, and Inspector McDonnell gave information. With Commissioner Scott abstaining from voting, the other four Commissioners concurred in the granting of the permit, with stipulation that fences that have been removed be replaced by permit holder.

In further hearing of Appeals 8315 through 8318, Daniel Sullivan spoke for City Planning Department, Inspector McDonnell testified, and Judy Seto, Gordon Chin, and Tony Choy opposed the permits. The appellant appeared with his attorney Lloyd Graybiel, Mr. Stalder, and contractor Del Wallace. Commissioners Jackson and Engmann voted to concur, and these appeals were therefore denied for lack of the required four overrule votes.

Appeal No. 8277 was on the agenda for further hearing. Curtis Green, General Manager of MUNI, and Larry Martin of the Transport Workers Union opposed the permit, and the appellant was present with his attorney Jeremiah F. O'Shea. The board voted 3 to 2 to concur in the denial of this permit, with Commissioners Cerbatos and Scott casting votes to overrule.

Appeal No. 8327 was on calendar for rehearing. Officer Michael Seybold and Special Officer Dangerfield spoke for the Police Department, and the appellant testified in his own behalf. The board voted unanimously to overrule.

The vote on Appeal 8295 had been continued for the full five-member board. The appellant appeared, and the Police Department had no further testimony to offer. The board voted 4 to 1 to overrule, with the following stipulations: (1) Permit to be reviewed by the Police Department six months after issuance; (2) Appellant to remain a resident at Liberation House during this six-month period.

In further hearing regarding Appeal 8308, Mrs. Fat Kuen Wong spoke for the appellant-protestant. The permit holder was represented by Benson Lau, architect Fook Z. Lee, and contractor Adolph Schmidt. Daniel Sullivan participated in the hearing. The board concurred unanimously in the granting of the permit, with stipulation that approved plans be adhered to; height of this new construction not to exceed 40 feet from curb line.

Appeal 8337 has been continued to October 18 by agreement of all concerned persons.

Inspector Charles Ku of the Health Department was present for further hearing in Appeal 8310. As the appellant did not appear to furnish the information requested at the last meeting, the board concurred unanimously in the denial of the permit.

Further hearing was held in Appeal 8321. Daniel Sullivan and Inspector Raymond McDonnell spoke for their departments, and the appellant appeared. The board scheduled a site inspection for 8:30 a.m. on Monday, October 9 and continued this case to the next regular meeting on October 18.

APPEAL NO. 8334

S. Delmon, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 9/14/78 to Mrs. Anastasi, permit to erect a fence at 157 Avila.

Edwin Delmon spoke for the appellant-protestant, and the permit holder was present with her contractor Phil Sharp. The board granted a continuance to the next meeting to allow time for a survey of the land to be made.

Appeal 8338 has been withdrawn and dropped from calendar.

There being on further business to come before the board, President Cerbatos announced adjournment at 9:55 p.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

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Minutes

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, OCTOBER 18, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 4:30 p.m. on Wednesday, October 18, 1978 in City Hall, Room 282.

Present were: President Agripino Cerbatos
Vice President David Scott
Commissioner Mattie Jackson
Commissioner Douglas Engmann

Also present were Inspector Paul Schwabacher of the Department of Public Health, Officers Seybold and West of the Police Department, Inspector Garry O'Reilly of the Department of Public Works, Daniel Sullivan of City Planning Department, and a representative of the Fire Department. The proceedings were recorded by the board's official hearing reporter, Doris Levine.

Rehearing of Appeals V-8256 and V-8297 were denied for lack of a motion. Rehearing of Appeal No. 8300 was granted unanimously upon motion of Commissioner Scott, and scheduled for the November 1 meeting. Commissioner Scott's motion for rehearing of Appeal 8307 was also approved unanimously, and this rehearing is set for the next regular meeting. The appellant's request for rehearing of Appeal 8239 was granted unanimously upon motion of Commissioner Scott, and interested persons present agreed upon November 1 for the rehearing date. Rehearing of Appeal 8310 was denied for lack of a motion.

Letter dated October 18, 1978 from Mr. and Mrs. L. Pelta was before the board, regarding acceptance of a protest appeal beyond the ten days. Inspector O'Reilly testified regarding notices sent by his department concerning 1222 Clayton Street, and Theodore Kitt, owner of the subject property, participated in the discussion with Mr. and Mrs. Pelta. The board agreed that an appeal can be filed if it can be shown that the notice was not sent to the correct mailing address of the Peltas.

Appeal No. 8345 has been continued to November 1 at the request of the appellant's attorney and with agreement of the department concerned.

In further hearing of Appeal 8321, the board heard from Daniel Sullivan for City Planning Department, Inspector O'Reilly for the Department of Public Works, and the appellant. In a unanimous vote, the departments were overruled with the following stipulations: (1) Appellant to comply with Items 1, 2, 3, 4, 6 and 7 of Department of Public Works letter dated September 19, 1978; (2) Combustible materials to be removed from sanctuary area; (3) Ground floor church use not to exceed a period of one year.

Appeal No. 8334 was on calendar for further hearing. Permit holder's representative Edwin Delmon made his report, and Inspector O'Reilly spoke. The board concurred unanimously in the granting of the permit.

APPEAL NO. 8323

Kava Trading Co. dba Kuo Wah, Appl. vs. S.F. Dept. of Public Health, Resp.
Revocation on 9/14/78 of permit for Food Preparation and Service Establishment at 950 Grant Avenue.

Inspector Paul Schwabacher spoke for the Department of Public Health, and Norman Lew represented the appellants. After hearing all facts, the board unanimously concurred in this revocation with stipulation that Health Department post no additional signs regarding the revocation, provided that all the department's requirements are met before restaurant reopens.

APPEAL NO. 8346

Jody Jahn & Thomas Robertson, Appls. vs. S.F. Dept. of Public Works, Resp.
Denying appellants 10/6/78 permit to alter a building at 2131 Vallejo Street.

Inspector Garry O'Reilly read the letter from his department, and Thomas Robertson spoke for both appellants. The board voted unanimously to overrule.

APPEAL NO. 8341

Bernard B. Berkov, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 9/29/78 permit to alter a building at 2834 Buchanan Street.

Inspector O'Reilly spoke for his department, and the appellant appeared. The board overruled unanimously with stipulation that handrail be placed at outer circumference of stairway.

APPEAL NO. 8337

Clyde T. Jones, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 9/22/78 Peddler's Permit for corner of Geary and Mason Streets.

Officer Michael Seybold testified for the Police Department, and the appellant spoke. The board unanimously overruled with stipulation that equipment used at the sale site will not exceed one portable box, and that location authorized be adjacent to the third parking meter south of Geary, on the west side of Mason Street, as indicated in drawing presented by appellant.

APPEAL NO. 8339

Walter J. Pastore, Appl. vs. S.F. Police Dept, Resp.
Appealing restriction placed 9/25/78 on existing dance permit at 1031 Kearny Street, regarding use of permit after 2:00 a.m.

Officer Michael Seybold spoke for the Police Department, and the appellant appeared with his attorney William J. Murphy. This appeal was continued to Nov. 8

so that appellant may submit up-to-date application for this change, and Police Department may post the premises in the usual manner.

APPEAL NO. 8342

Orlando M. Espenilla, Appl. vs. S.F. Police Dept., Resp. (Dept. of Public Works)
Denying appellant 9/19/78 permit for Place of Entertainment and Dance Permit at 237 Powell Street.

Officers Seybold and West appeared for the Police Department, Inspector O'Reilly indicated that his department's requirements had been satisfied, and the appellant testified. The board voted unanimously to overrule with stipulation that all requirements of Department of Public Works be met.

APPEAL NO. 8343

Michele & France Quaranta, Appls. vs. S.F. Dept. of Public Works, Resp.
Denying appellants 10/2/78 permit to alter a building at 2712-2722 - 22nd Street.

Inspector O'Reilly outlined this appeal, Captain Russ McKlem participated in the discussion regarding Fire Department matters, and the appellant spoke. With Commissioners Cerbatos and Jackson voting to concur, this appeal was denied for lack of the required four overrule votes.

Regarding Appeals 8335 and 8336, Commissioner Scott announced that he would abstain from voting because of a conflict of interest. With agreement of the appellants' representative, hearing was scheduled for November 1 when four Commissioners will be present to rule on this appeal.

APPEAL NO. 8333

Martin Nemet, Appl. vs. S.F. Fire Dept., Resp. (Dept. of Public Works, City Planning)
Denying appellant 9/20/78 permit for Public Repair Garage at 1348 Bush Street.

Daniel Sullivan presented the case for City Planning Department, Captin Russ McKlem spoke for the Fire Department, and Angelo Gallo represented the appellant, who also spoke. The board overruled unanimously with the following stipulations: (1) Premises to meet all Building Code and Fire Code requirements; (2) Work to be completed within six months.

APPEAL NO. V-8344

Daniel Yee, Appl. vs. S.F. Zoning Administrator, Resp.
Denying appellant 9/25/78 a variance for property at 6 August Alley.

Daniel Sullivan spoke for the Zoning Administrator, and Howard Broben, Frank Mattera, and Hal Wiseman expressed neighborhood opposition to the variance. The appellant spoke in his own behalf. The Commissioners will inspect the site on Friday, October 20 at 4:00 p.m. and will hold further hearing on November 1.

APPEAL NO. 8340

Eloise Banks, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 9/25/78 to Mr. Wilson, permit to alter a building at 1233 Holloway Street.

The appellant presented her grounds for the protest, and permit holder Mrs. Wilson appeared with her contractor, Mr. Nolfi. The board concurred 3 to 1 in the granting of the permit, with Commissioner Scott voting to overrule.

APPEAL NO. 8350

Patricia Bandur, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 10/2/78 to Mr. & Mrs. Robert Barron, permit to alter a building at 224 Vienna Street.

The appellant-protestant appeared with her attorney David Harbert, and permit holder Mrs. Robert Barron defended the permit. After hearing all arguments, the board voted 3 to 1 to concur in the granting of the permit, with Commissioner Scott voting to overrule.

There being no further business to come before the board, President Cerbatos announced adjournment at 10:15 p.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

FRIDAY, OCTOBER 20, 1978

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A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 4:00 p.m. on Friday, October 20, 1978 at 6 August Alley.

Present were: President Agripino Cerbatos
Vice President David Scott
Commissioner Mattie Jackson
Commissioner Douglas Engmann

APPEAL NO. V-8344

Daniel Yee, Appl. vs. S.F. Zoning Administrator, Resp.
Denying appellant 9/25/78 a variance for property at 6 August Alley.

The Commissioners viewed this premises and the surrounding neighborhood, to determine the possible effect of the granting of the variance. The meeting was then adjourned.

This appeal is scheduled for further hearing at the regular meeting of November 1, 1978

Philip J. Siggins
Executive Director

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Minutes

MEETING OF THE BOARD OF PERMIT APPEALS
CITY AND COUNTY OF SAN FRANCISCO
WEDNESDAY, OCTOBER 25, 1978

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The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 4:30 p.m. on Wednesday, October 25, 1978 in City Hall, Room 282.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Hicks on
Commissioner Douglas J. Engmann

Also present were Lieutenant O'Brien of the Fire Department, Inspectors O'Reilly and Hanks of the Department of Public Works, Daniel Sullivan of City Planning Department, and Doris Levine, the board's official hearing reporter.

Appeal No. 8356 has been continued to the next meeting at the request of the appellant and with agreement of the department concerned. Appeal 8307 has been continued to November 8 by agreement of all interested persons.

APPEAL NO. 8352

Arnulfo J. Gomez, Appl. vs. S.F. Dept. of Public Works, Resp.
Imposition of plumbing penalty for work at 68-70 Elgin Park.

Inspector O'Reilly outlined this appeal, and the appellant testified. The board voted unanimously to overrule.

APPEAL NO. 8370

Aladdin Electric, Inc., Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 10/18/78 electrical permit for work at 1601-1639 Webster Street.

Inspector Garry O'Reilly and electrical inspector Hanks spoke for the Department of Public Works, and Raymond Doanes, Jr. and Audrose Calhoun represented the appellant. The board unanimously overruled, with the following stipulations: (1) 40-ampere circuit breakers to be installed; (2) Permanent plaques to be placed above stove outlets, reading "This outlet is limited to equipment that is rated 40 amps or less."

APPEAL NO. 8353

Richard & Ilse Cordoni, Appls. vs. S.F. Dept. of Public Works, Resp.
Denying appellants 10/11/78 permit to alter a building at 1100-1102 Page Street.

Inspector O'Reilly reported on a compromise his department had reached with the appellants, and appellant Ilse Cordoni appeared. The board voted unanimously to overrule with stipulation that Items 66 and 67 of DAHI report be complied with.

The Executive Director announced that the appellant-protestants in Appeals 8359 through 8363 had withdrawn the protest in writing. A representative of the neighborhood stated his organization was in favor of the project. The board accepted the withdrawal and dropped these items from calendar.

APPEAL NO. 8357

Keys Residential Care Homes, Inc., Appl. vs. S.F. Dept. of Public Works, Resp.
S.F. Fire Dept. Disapproval
Denying appellant 10/13/78 permit to alter a building at 1121 Masonic Avenue.

Lieutenant O'Brien presented the case for the Fire Department, and Paul Harrell appeared for the appellant. The board will schedule a date for a site inspection at the next regular meeting, and will hold further hearing on this appeal on November 15.

A continuance to November 15 was granted by the board in Appeal No. 8355, at the request of the appellant.

APPEAL NO. 8364

Preston Davis, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Disapp.)
Denying appellant 10/13/78 permit to alter a building at 798 Monterey Boulevard.

Inspector Garry O'Reilly read the letter from his department, Daniel Sullivan spoke for City Planning Department, and William Abend opposed certain aspects of the business in question. The appellant appeared with his witnesses L. Haflin and Martha Hunter. This appeal was continued one week so that the board may inspect the site on Friday, October 28 at 9:00 a.m.

APPEAL NO. V-8365

David L. Goodman, Appl. vs. S.F. Zoning Administrator, Resp.
Denying appellant 10/11/78 a variance for property at 2017-2021 Pine Street.

Daniel Sullivan presented the Zoning Administrator's position, and the appellant spoke in his own behalf. In a 2 to 2 vote with Commissioners Cerbatos and Engmann voting to uphold the department, this appeal was denied.

APPEAL NO. 8358

Carl Kuhn, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 10/4/78 to Mr. and Mrs. Hugh Reynolds, permit to erect a structure at 60 Palo Alto Avenue.

The appellant-protestant's attorney, who could not be present, had requested that the record of previous appeal No. 8304 be incorporated in this appeal. The

permit holders appeared. The vote was unanimous to concur in the granting of the permit in question.

APPEAL NO. 8373

Leon Pelta, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 9/27/78 to F. Theodore Kitt, permit to alter a building at 1222 Clayton Street.

Appellants Mr. and Mrs. Pelta presented their grounds for this protest, and the permit holder defended his permit. Inspector O'Reilly participated in the discussion regarding the plans. With only Commissioners Scott and Engmann voting to overrule, this protest was denied for lack of the required four overrule votes.

There being no further business to come before the board, President Cerbatos announced adjournment at 8:55 p.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

FRIDAY, OCTOBER 27, 1978

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A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 9:00 a.m. on Friday, October 27, 1978 at 798 Monterey Boulevard.

Present were: President Agripino Cerbatos
Vice President David Scott
Commissioner Mattie Jackson
Commissioner Douglas Engmann

APPEAL NO. 8364

Preston Davis, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Disapp.) Denying appellant 10/13/78 permit to alter a building at 798 Monterey Boulevard.

The Commissioners inspected the site, giving attention to the extent and type of auto work performed here, and evaluated the visual impact of the business on the surrounding area.

This appeal will be on calendar for further hearing at the regular meeting of November 1, 1978

Philip J. Siggins
Executive Director

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Minutes

MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, NOVEMBER 1, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 5:00 p.m. on Wednesday, November 1, 1978 in City Hall, Room 282.

Present were: President Agripino Cerbatos
Vice President David Scott
Commissioner Mattie Jackson
Commissioner Douglas Engmann
Commissioner Henry Berman

Also in attendance were Officers Seybold and Andrews of the Police Department, Nancy Gin and Robert Passmore of City Planning Department, Inspector Stanley Spears of the Department of Public Works, Captain Russ McKlem of the Fire Department, and Doris Levine, the board's official hearing reporter.

Upon motion of Commissioner Engmann unanimously carried, rehearings were granted in Appeals 8315, 8316, 8317 and 8318. Rehearings of Appeals 8323, 8321 and V-8319 were denied for lack of a motion.

APPEAL NO. 8377

Robert Charrot & Daniel Turner, Appls. vs. S.F. Police Dept., Resp. Public Works, Planning Commission, and Fire Dept. Disapprovals

Denying appellants 10/18/78 Dance Permit and permit for Place of Entertainment at 2275 Market Street.

Officers Seybold and Andrews spoke for the Police Department, Robert Passmore represented City Planning Department, and the following persons appeared in opposition to the permits: Russ Lombard, Steven Rook, Jude Lapsa, Walter Park, Patty Smith, Bernard Bishop, Bert Schwartzfield, and Jim Marlow. The appellants' attorney James Reilly, attorney Donald Freeman, and both appellants spoke in favor of the permits. Commissioner Scott abstained from voting because of a conflict of interest. With Commissioners Cerbatos and Engmann voting to concur, this appeal was denied for lack of the required four overrule votes.

Appeal No. 8329 was on calendar for rehearing. The appellant, her attorney Joseph D. O'Sullivan, and Mrs. Fitzpatrick spoke in protest of the permit granted, and attorney Michael Onleyer, Samuel Snyder, and Donald Hildebrand defended the permit. With Commissioners Jackson and Berman voting to concur, this protest was denied for lack of the required four overrule votes.

Appeal 8300 was on the agenda for rehearing. Nancy Gin appeared for the Zoning Administrator, Fred Mitner and Robert Coldwell opposed the permit in question, and attorney Edward Appenrod and Alfredo James spoke for the appellant. In a 4 to 1 vote with Commissioner Engmann concurring, the board overruled the Zoning Administrator's determination.

Appeal 8366 has been continued to November 15 at the request of the appellant's attorney and with agreement of the departments concerned.

The following two appeals were heard together:

APPEAL NO. 8335

Olympic Savings & Loan, Appl. vs. S.F. Dept. of Public Works, Resp. (Planning Comm.) Denying appellant 9/26/78 permit to alter a building at 926 Taraval Street.

APPEAL NO. 8336

Heritage Auxiliary Co., Inc., Appl. vs. S.F. Dept. of Public Works, Resp. (Plng Comm.) Denying appellant 9/26/78 permit to alter a building at 950 Taraval Street.

Robert Passmore spoke for City Planning Department, and attorney Thomas Hehir represented the appellants. The board voted in both appeals to overrule, with stipulation that ground floor commercial use may not include a financial office of Olympic Savings & Loan or any other financial institution, unless prior approval is obtained from City Planning Department for removal of this restriction.

In further hearing regarding Appeal V-8344, Nancy Gin spoke for the Zoning Administrator, with Howard Mark Bobran, Hal Wiseman, and Frank Mattera opposing the variance. The appellant and Margaret Adams appeared in favor of the variance. The board overruled unanimously with stipulation that two dwelling units may be added to the building, with structural addition limited to one additional floor, as accepted by City Planning Department.

Appeal 8364 was on the agenda for further hearing. Nancy Gin and Robert Passmore represented City Planning Department, Inspector Stanley Spears spoke for the Department of Public Works, and the appellant appeared. In a 4 to 1 vote with Commissioner Engmann voting to concur, the board overruled with stipulation that Building Code requirements for minor auto repair be met.

APPEAL NO. 8356

Ben Simon, Appl. vs. S.F. Police Dept., Resp.
Revocation on 10/9/78 of Theater Permit at 1215 Polk Street.

Officer Michael Seybold spoke for the Police Department, and the appellant appeared with his attorney Robert L. Thorp. The board voted 4 to 1 to overrule, with stipulation that permit be reviewed by Police Department six months after issuance. Commissioner Jackson voted to concur.

APPEAL NO. 8374

Anna Salinas, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 10/19/78 permit as Masseuse Trainee.

Officer Seybold presented the case for the Police Department, and the appellant testified. In a 3 to 2 vote with Commissioners Cerbatos and Scott voting to overrule, this appeal was denied.

APPEAL NO. 8378

Edward G. Alcus, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 10/19/78 permit as Driver of Public Vehicle.

Officer Seybold was present for the Police Department. As no one appeared on behalf of the appellant, the board concurred unanimously in the denial of this permit.

APPEAL NO. 8376

Cesar Ascarrunz, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 10/3/78 special dance permit for dancing after 2:00 a.m. at 3040 Mission Street.

Officer Seybold spoke for the Police Department, Mr. Berline, a nearby resident, spoke, and the appellant appeared with his attorney Victor Palacios. The board overruled unanimously with stipulation that dancing after 2:00 a.m. be confined to Fridays and Saturdays with fifteen holidays during the year; security guard to be present on the premises, and no persons under 21 to be admitted to the establishment.

APPEAL NO. 8369

Fred Mogannam, Appl. vs. S.F. Dept. of Public Works, Resp.
Appealing for legalization of existing plastic pipe drain servicing mezzanine bathroom 15 417 York Street, and appealing for refund of plumbing penalty.

Stanley Spears represented the department, and the appellant spoke. In separate votes, the board overruled the department 4 to 1 regarding the penalty, and concurred 4 to 1 in the department's position regarding the permit.

APPEAL NO. 8368

United Vintners, Appl. vs. S.F. Dept. of Public Works (S.F. Fire Dept. Disapproval) Denying appellant 10/17/78 permit to alter a building at 601 - 4th Street.

Captain Russ McKlem spoke for the Fire Department, and a representative of the appellant appeared. After hearing all facts, the board overruled unanimously with stipulation that false acoustical tile ceiling be removed if a change in the present F-2 occupancy occurs in this building.

Regarding Appeal No. 8354, the appellant's attorney appeared and was granted a continuance to the next regular meeting on November 15.

The following three appeals were heard as one:

APPEAL NO. 8347

Ben Hom & Rino Del Curto, Appls. vs. S.F. Dept. of Public Works (Planning Comm.) Denying appellants 10/6/78 permit to erect a structure at 61 Twin Peaks Boulevard.

APPEAL NO. 8348

Ben Hom & Rino Del Curto, Appls. vs. S.F. Dept. of Public Works (Planning Comm.) Denying appellants 10/6/78 permit to erect a structure at 69 Twin Peaks Boulevard.

APPEAL NO. 8349

Ben Hom & Rino Del Curto, Appls. vs. S.F. Dept. of Public Works (Planning Comm.) Denying appellants 10/6/78 permit to erect a structure at 77 Twin Peaks Boulevard.

Robert Passmore outlined these appeals, Captain Russ McKlem spoke for the Fire Department, and the following persons expressed neighborhood opposition: Gina Pennestria, Rose Romeo, Sandy Arutennon, T. Murphy, and Gary Faldez. The appellant appeared with his attorney Charles Morgan and supporters Mr. Enamato and Mr. Lubin. The board scheduled a site inspection for Monday, November 6 at 2:00 p.m. and will hold further hearing on these appeals at the next regular meeting.

APPEAL NO. 8372

Nabeen Mogannam, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Disapp.) Denying appellant 10/18/78 permit to alter a building at 400 Molimo Drive, and imposing penalty.

Nancy Gin spoke for City Planning Department, Inspector Stanley Spears represented the Department of Public Works, and the appellant testified. In separate votes, the board overruled unanimously regarding both the penalty and the denial of the permit, with stipulations as follows: (1) Cooking facilities, dishwasher and plumbing to be removed from ground floor rooms with the exception of 12 x 12 facility

area and bathroom; (2) Interior stairway to be provided connecting ground floor rooms with dwelling unit above; (3) Notice of Special Restriction to be recorded by appellant, limiting building to single family use.

The board scheduled a site inspection in Appeal No. 8357 for November 6 at 1:00 p.m., at which time a representative of the Fire Department will be present.

There being no further business to come before the board, President Cerbatos announced adjournment at 12:30 a.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

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# MEETING OF THE BOARD OF PERMIT APPEALS

## CITY AND COUNTY OF SAN FRANCISCO

## MONDAY, NOVEMBER 6, 1978

A special meeting of the Board of Permit Appeals of the City and County of San Francisco was held commencing at 1:00 p.m. on Monday, November 6, 1978 at two locations involved in appeals before the board.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Henry E. Berman

### APPEAL NO. 8357

Keys Residential Care Homes, Inc., Appl. vs. S.F. Dept. of Public Works, Resp.
Fire Dept. Disapproval
Denying appellant 10/13/78 permit to alter a building at 1121 Masonic Avenue.

Board members inspected this building, and discussed requirements with a representative of the Fire Department who was present.

The meeting was then recessed, to reconvene at another location.

### APPEALS 8347, 8348, 8349

Ben Hom & Rino Del Curto, Appls. vs. S.F. Dept. of Public Works, Resp. (Planning Comm.)
Denying appellants 10/6/78 permits to erect structures at 61, 69, and 77 Twin Peaks Blvd.

The Commissioners assembled at the site of these proposed buildings, and evaluated the effect of the new construction on the surrounding neighborhood.

The special meeting was then adjourned. Further hearing in both these appeals will be held at the regular meeting of November 15, 1978.

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, NOVEMBER 15, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 5:00 p.m. on Wednesday, November 15, 1978 in City Hall, Room 282.

Present were: President Agripino Cerbatos
Vice President David Scott
Commissioner Mattie Jackson
Commissioner Douglas Engmann
Commissioner Henry Berman

Also present were Inspector Garry O'Reilly of the Department of Public Works, Lieutenant O'Brien of the Fire Department, Officers Seybold and West of the Police Department, Nancy Gin and Robert Passmore of City Planning Department, and Doris Levine, the board's official hearing reporter.

Rehearing of Appeal No. 8358 was denied for lack of a motion. Upon motion of Commissioner Scott, rehearing was granted in Appeal No. 8373 by a 4 to 1 vote, with Commissioner Jackson dissenting. Commissioner Berman's motion for rehearing of Appeal 8377 failed to receive the necessary four affirmative votes, and the request was therefore denied.

Appeal 8382 has been continued to the next meeting by agreement of all persons concerned.

APPEAL NO. 8366

American Savings, Appl. vs. S.F. Dept. of Public Works, Resp. (Planning Commission) Denying appellant 10/16/78 permit to alter a building at 1500 Polk Street.

Robert Passmore spoke for the Planning Commission, and a representative of American Savings appeared with attorney Michael Berger in support of the proposal. With Commissioners Scott and Engmann voting to concur, this appeal was denied for lack of the necessary four overrule votes.

APPEAL NO. 8354

Otto Wiegand, Appl. vs. S.F. Zoning Administrator, Resp.
Appealing determination of the Zoning Administrator dated 10/2/78 and 9/15/78 regarding property at 4011 Mission Street.

The intent of the letters of October 2 and September 15, 1978 was discussed with Nancy Gin of City Planning Department, the appellant, and his attorney Charles Dresow. Inasmuch as the issue mentioned in the Zoning Administrator's letter is

presently being adjudicated in Superior Court, the Commissioners felt they should not rule on an interpretation of the letters. Upon motion of Commissioner Engmann, the board members agreed unanimously that they lacked jurisdiction in this matter.

APPEAL NO. 8384

Hulon W. Myers, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 10/25/78 to M. Gaehwiler and A. Zanello, permit to erect a structure at 1700 Gough Street.

Robert Passmore discussed his department's reasons for approving the permit application. Appellant-protestant Hulon Myers, Robert Epstein, J. L. VanLaningham, Janet Michaels, and Lewis Jones gave the grounds for this protest, and attorney Michael Ohleyer and permit holder Martin Gaehwiler defended the permit. In a 4 to 1 vote with Commissioner Engmann voting to overrule, the board concurred in the granting of this permit.

APPEAL NO. 8390

Jim B. Hung, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 10/30/78 permit for Mechanical Amusement Devices at 487 Broadway.

Officer Michael Seybold spoke for the Police Department. No one was present on behalf of the appellant. Noting in the record provided by the Police Department that the appellant had also failed to appear for Police permit hearings, the board unanimously concurred in this denial. Commissioner Jackson was absent during the vote.

APPEAL NO. 8386

San Francisco Car Services, Inc., Appl. vs. S.F. Police Dept., Resp.
Denying appellant 11/2/78 permit as Second Hand Dealer and Auto Wrecker at 1740 Army.

Officer Michael Seybold appeared for the Police Department, and Mrs. Amsick, Clodis Walter, Melba Marks, Betty Johnson, Howard Bach, and Lybette Drefke opposed these permits. Appellant Henry Collier appeared with his attorney W. L. Pinney. The board scheduled a site inspection for Monday, November 20, at 1:00 p.m., and continued this case to the next regular meeting on November 29.

APPEAL NO. 8380

John Doherty, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 10/18/78 request to sell additional item under existing peddler's permit.

Officers Seybold and West presented the case for the Police Department, and Mr. Daniels and Walter Lewis appeared in opposition to the permit addition. The appellant, his assistant, and Dennis Pasteo spoke in favor of the proposal. With Commissioners Scott and Berman concurring, this appeal failed to receive the necessary four overrule votes.

Appeal No. 8339 was on calendar for further hearing. Officer Seybold made his report, and attorney William J. Murphy appeared with the appellant. The board voted unanimously to overrule.

APPEAL NO. 8345

Scott A. Linn, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 9/29/78 additional stop at Main & Howard for Mobile Caterer Permit.

Officer Seybold testified for the Police Department, Gus Franco appeared in opposition to this change, and attorney Paul DeVries represented the appellant. As a new operator is taking over this catering truck, the board concurred unanimously with the recommendation that the new owner may appeal if she is denied this stop in the course of obtaining her own permit.

APPEAL NO. 8375

Richard J. Carrell, Appl. vs. S.F. Police Dept., Resp.
Revocation on 10/19/78 of permit as Driver of Public Vehicle.

Officer Michael Seybold testified for the Police Department, and the appellant appeared with his attorney Robert Beechinor. The board overruled unanimously with stipulation that permit be reinstated until court action concerning the appellant is concluded. Permit to be reviewed by Police Department 90 days after date of reinstatement, if duration of court action extends beyond 90 days.

Appeals 8347, 8348, and 8349 were on the agenda for further hearing. Robert Passmore spoke for the Planning Commission, Lieutenant O'Brien testified for the Fire Department, and the Honorable Clayton Horn and Gary Faldes spoke in opposition to these permits. Attorney Charles Morgan and architect Mr. Enomoto represented the appellants. In all three appeals, the board concurred unanimously in the denial of the permits.

In further hearing regarding Appeal No. 8357, Lieutenant O'Brien spoke for the Fire Department, and appellant Paul Harrell appeared. The board concurred unanimously in this denial.

APPEAL NO. 8381

Ben & Doris K. Cohen, Appls. vs. S.F. Dept. of Public Works, Resp.
Denying appellants 10/27/78 permit to alter a building at 2000-2004 Bush Street.

Inspector Garry O'Reilly announced that an agreement had been reached between the appellants and his department, and the board therefore overruled unanimously with stipulations as follows: (1) Storage area to be sprinklered, with two sprinkler heads from domestic water supply; (2) Appellants to comply with Item 27 of DAHI report.

APPEAL NO. 8355

Jim Peregrina, Appl. vs. S.F. Dept. of Public Works, Resp. (S.F. Fire Dept., City Planning Dept.)
Denying appellant 10/12/78 permit to alter a building at 49-51 Walter Street.

Inspector Garry O'Reilly presented the case for the Department of Public Works, Lieutenant O'Brien spoke for the Fire Department, and City Planning had no opposition to this permit. Attorney Mark Litwin represented the appellant. The board voted unanimously to overrule, with the following stipulations: (1) As an alternative to the option of vacating the attic, dry standpipe to be installed serving each floor, and automatic smoke detector system to be installed throughout the building; (2) Fire Department requirements to be met.

APPEAL NO. 8371

Edwin A. Verner, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Disapp.)
Denying appellant 10/18/78 permit to alter a building at 2211 Castro Street.

Nancy Gin presented the case for City Planning Department, Robert Passmore participated in the discussion, and Inspector O'Reilly read the letter from his department. Raymond Totah, owner of the building, appeared in support of the permit. The board voted 4 to 1 to concur in the denial, with Commissioner Berman voting to overrule.

APPEAL NO. 8385

Anthony Wake, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 10/26/78 to John Reilly, permit to erect a structure at 153-155 - 28th Street.

The appellant gave his grounds for this protest, and permit holder John Reilly appeared. After hearing all arguments, the board concurred 4 to 1 in the granting of the permit, with Commissioner Scott overruling.

APPEAL NO. 8387

Janet M. & Guido Pera, Appls. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 10/27/78 to D. Welisch, permit to alter a building at 3660 - 21st Street.

Mr. Passmore explained the details of his department's approval of this application, appellant Janet Pera, Florence Hola, and Audrey Rogers gave the grounds for the protest, and permit holder David Welisch appeared with his architect Paul Duffy. In a 3 to 2 vote with Commissioner Scott and Engmann voting to overrule, the board concurred in the granting of the permit.

APPEAL NO. 8389

John Sullivan, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 10/26/78 to Pacific Land Company, permit to erect a structure at 99 St. Germaine.

Appellant-protestant John Sullivan outlined the grounds for his protest, Robert Passmore clarified City Planning Department's method of measuring building height, and attorney Michael Berger represented the permit holder. The board unanimously concurred in the granting of this permit.

Appeal No. 8307 was on the agenda for rehearing. Robert Passmore spoke for City Planning Department, and appellant William Heyer appeared. After consideration of all evidence presented, the board unanimously overruled this denial.

There being no further business to come before the board, President Cerbatos announced adjournment at 12:55 a.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, DECEMBER 6, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 5:00 p.m. on Wednesday, December 6, 1978 in Room 282 of City Hall.

Present were: President Agripino Cerbatos
Vice President David Scott
Commissioner Mattie Jackson
Commissioner Douglas Engmann

Also present were Daniel Sullivan and Carol Sugarman of City Planning Department, Inspector Chong Koo of the Department of Public Health, Lieutenant O'Brien of the Fire Department, Officer Michael Seybold of the Police Department, and Inspector Garry O'Reilly of the Department of Public Works. The proceedings were recorded by the board's official hearing reporter, Doris Levine.

Commissioner Henry E. Berman, who was appointed to the Fire Commission today, addressed the board, commending the Commissioners and the personnel of the related City departments for their dedication on behalf of the citizens of the City.

Requests for rehearings in Appeals 8384, 8387, 8357, 8371 were denied for lack of a motion. Rehearings in Appeals 8374 and 8380 were unanimously approved, and scheduled for the next regular meeting on December 15.

At the request of the Department of Public Works, the board amended the stipulation in Appeal 8391 to reflect the appellant's agreement with the department, that Item 27 of the DAHI report need not be complied with.

APPEAL NO. 8393

Clarence & Evelyn Gervais, Appls. vs. S.F. Dept. of Public Works, Resp.
Denying appellants 11/8/78 permit to alter a building at 60-64 Cypress Street.

Inspector Garry O'Reilly spoke for the Department of Public Works, and appellant Clarence Gervais appeared. The board voted unanimously to overrule.

In further hearing of Appeal 8386, the site inspection was discussed with the following persons who spoke in opposition to the permit: Mr. Hillman, Arlene Wong, Betty Johnson, Lorraine Yeoman, and Donald Glass. Appearing in favor of the permit were appellant Henry A. Collier, his attorney William Pinney, Mr. Walker, and George Newkirk. The board voted 3 to 1 to concur in this denial, with Commissioner Engmann voting to overrule.

APPEAL NO. 8394

Grand Central Sauna & Hot Tub Co., Appl. vs. S.F. Dept. of Public Health, Resp.
Denying appellant 10/30/78 permit for Food Preparation and Service Establishment (snack bar) at 15 Fell Street.

Inspector Chong Koo spoke for the Department of Public Health, and appellant David Stadtner appeared. The board unanimously overruled, with stipulation that service be limited to cold drinks served from a dispenser.

APPEAL NO. 8399

Alani, Inc., Appl. vs. S.F. Dept. of Public Health, Resp.
Denying appellant 11/8/78 permit for Food Preparation & Service Establishment (orange juice kiosk) at Leavenworth & Beach.

Inspector Chong Koo spoke for the Health Department. As no one appeared on behalf of the appellant, the board concurred unanimously in this denial.

APPEAL NO. 8401

Russell Beck, Appl. vs. S.F. Dept. of Public Health, Resp.
Revocation on 11/15/78 of temporary permit for Food Product and Marketing Establishment at 136 McAllister Street, and denial of permit.

Inspector Chong Koo spoke for his department, and appellant Russell Beck testified. After hearing all facts, the board voted unanimously to overrule this denial.

APPEAL NO. 8402

Cookies & Milk, Inc., Appl. vs. S.F. Dept. of Public Health, Resp.
Denying appellant 10/30/78 permit for Food Preparation and Service Establishment at 1412 Grant Avenue.

Inspector Chong Koo appeared for the Health Department, and Neal Flaster spoke for the appellant. After consideration of all testimony, the board voted unanimously to overrule.

APPEAL NO. 8395

Alan R. Hudson, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 10/31/78 permit as Driver of Public Vehicle.

Officer Michael Seybold spoke for the Police Department, and the appellant appeared in his own behalf. The board concurred unanimously in the denial of this permit.

Appeals 8315, 8316, 8317, and 8318 were on calendar for rehearing. Daniel Sullivan spoke for City Planning Department, and attorney Lloyd Graybiel spoke for the appellants. The board ruled unanimously that the permit for garment shops be granted, concurring, however, in City Planning Department's position, with the provision that City Planning Department's order be stayed until 1981.

APPEAL NO. 8351

William Sepatis, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Comm.) Denying appellant 11/7/78 permit to alter a building at 1601 Haight Street.

Daniel Sullivan spoke for the City Planning Commission, Officer Seybold participated in the discussion, and Marily Schmulyan and Betty Mosais opposed this permit. The appellant appeared with his attorney George Choppelas and supporters Bill Deitch and William Mulville. The board voted 3 to 1 to concur in the denial, with Commissioner Jackson voting to overrule.

APPEAL NO. 8382

Henry R. Werdegar, Appl. vs. S.F. Zoning Administrator, Resp. Appealing determination of the Zoning Administrator dated 10/18/78 regarding property at 1505 - 5th Avenue.

Carol Sugarman appeared for the Zoning Administrator, and Edwin Williams supported the Zoning Administrator's position. The appellant appeared with his representative Collenn Rohan. With Commissioner Engmann voting to concur, this appeal was denied for lack of the required four overrule votes. Since the vote of the fifth Commissioner might have changed the outcome, rehearing was automatically granted, to be scheduled before a full five-member board.

APPEAL NO. 8383

Quick Print Press, Appl. vs. S.F. Dept. of Public Works, Resp. (S.F. Fire Dept.) Denying appellant 10/30/78 permit to alter a building at 150 California Street.

Inspector Garry O'Reilly spoke for the Department of Public Works, Lieutenant O'Brien presented the Fire Department's position, and R. B. Steele represented the appellant. The board overruled unanimously with stipulation that Fire Department be furnished with evidence of an agreement that the door serving as second means of egress from cellar shop will be kept unlocked during working hours of cellar shop.

APPEAL NO. 8391

Nan C. Rosenblatt, Appl. vs. S.F. Dept. of Public Works, Resp. (S.F. Fire Dept.) Denying appellant 11/7/78 permit to alter a building at 1660 Stockton Street.

Inspector O'Reilly outlined this appeal, Lieutenant O'Brien spoke for the Fire Department, and Norman Rosenblatt appeared for the appellant. The board overruled unanimously with the following stipulations: (1) 5/8-inch sheet rock to be provided on walls and ceiling of new basement apartment; (2) Approved type smoke detector to be installed in basement apartment; (3) Basement apartment and common lobby to be sprinklered.

APPEAL NO. 8396

Robert Anderson, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning Dept.) Revocation on 10/31/78 of demolition permit for building at 236 Monterey Boulevard.

Daniel Sullivan spoke for City Planning Department, and Mr. Garr, Jean Marlborough, Mrs. Bland Platt, Ken Hoger, and Earl Moss opposed the demolition. Appellant Robert Anderson and architect Albert Lanier appeared in favor of the permit. The board unanimously concurred in the revocation of the permit.

APPEAL NO. 8388

Sharon's Garment Industry, Appl. vs. S.F. Dept. of Public Works, Resp. (City Planning) Appealing suspension on 10/25/78 of permit to alter a building at 23 Ross Alley.

Daniel Sullivan spoke for City Planning Department, and appellant Ted Chung appeared. The board overruled the suspension unanimously, with stipulation that garment shop may operate at this premises for five years, provided that appellant demonstrate he has a lease commitment for five years. (Copy of leas to be attached to the board's Notice of Decision and Order.)

APPEAL NO. 8392

Jules & Sally Heumann et al, Appls. vs. S.F. Dept. of Public Works, Resp. Protesting issuance on 10/31/78 to Mr. Hayotano, permit to erect a structure at 150 Glenbrook.

Appellant Jules Heumann and Wolfgang Linnenbach presented grounds for this protest, Daniel Sullivan entered the discussion, and permit holder Mr. Hayotano appeared with his attorney James J. Reilly. The board scheduled a site inspection for Monday, December 11 and continued this case to the next regular meeting.

The following two protest appeals were heard together:

APPEAL NO. 8403

Deetje Boler, Appl. vs. S.F. Dept. of Public Works, Resp. Protesting issuance on 11/7/78 to Fernando Canales and Gary Arge, permit to erect a structure at 166-168 - 9th Avenue.

APPEAL NO. 8404

Paul Briefer, Appl. vs. S.F. Dept. of Public Works, Resp. Protesting issuance on 11/7/78 to Fernando Canales and Gary Arge, permit to erect a structure at 166-168 - 9th Avenue.

Deetje Boler, John Nash, and Paul Briefer gave their grounds for opposing the permit, and the permit holder appeared. The board will inspect the site on Tuesday, December 12 at 2:00 p.m. and will hold further hearing at the regular meeting of December 13.

APPEAL NO. 8398

Thomas J. Lehane, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 11/8/78 to W. Lee, permit for retaining wall at 1620 - 8th Avenue.

Thomas and Evelyn Lehane gave their grounds for the protest, and permit holder Wilbur Lee defended his permit. After discussion with Daniel Sullivan in regard to the Planning Code, Section 136.c, the board unanimously overruled the granting of this permit.

No testimony was taken in Appeal 8411; with agreement of interested persons present, the board arranged to visit the site on Tuesday, December 12 at 2:45 p.m. Hearing in this case will be held at the regular meeting of December 13.

There being no further business to come before the board, President Cerbatos announced adjournment at 1:20 a.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

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# MEETING OF THE BOARD OF PERMIT APPEALS

## CITY AND COUNTY OF SAN FRANCISCO

## WEDNESDAY, DECEMBER 13, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 6:00 p.m. on Wednesday, December 13, 1978 in Room 282 of City Hall.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann

Also present were Officer Michael Seybold of the Police Department, Daniel Sullivan of City Planning Department, Inspectors Raymond McDonnell and Garry O'Reilly of the Department of Public Works, Inspector Chin of the Department of Public Health, and Lieutenant O'Brien of the Fire Department. The proceedings were recorded by Doris Levine, the board's official Hearing Reporter.

In further hearing regarding Appeals 8403 and 8404, the board heard from Mr. Nash and appellant Deetje Boler speaking against the permit, permit holder Gary Arge and architect Richard Crandall defending the permit, Daniel Sullivan of City Planning Department, and Inspector Raymond McDonnell of the Department of Public Works. In both appeals, the board voted unanimously to concur in the granting of the permit, with the following stipulations: (1) Building to consist of no more than two dwelling units so long as existing zoning is maintained by the Board of Supervisors; (2) Working hours of construction to be limited to 8:30 a.m. to 4:30 p.m. five days per week.

Protest appeal 8411 has been withdrawn in writing and dropped from calendar.

Further hearing was held in Appeal No. 8392. Appellant Jules Heumann, John Backus, James Fitzpatrick, Alan Smith, and Doris Linnenbach opposed the permit. Permit holder J. Hatoyano appeared with his attorney James J. Reilly, in defense of the permit. Daniel Sullivan and Inspector McDonnell spoke for their departments. The board unanimously concurred in the granting of the permit, with the following stipulations: (1) Building to be limited to single family residential use with a permitted use of professional office; (2) Building to be relocated to provide a nine-foot setback. The board's Notice of Decision and Order will be recorded.

APPEAL NO. 8405

Carmela Manoguerra, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 11/20/78 permit to alter a building at 526 - 7th Avenue.

Inspector McDonnell testified for the Department of Public Works, and the appellant was represented by attorney Colleen Rohan. This appeal was continued one week for more exact information as to the department's requirements.

APPEAL NO. 8415

Walter Munz, App. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 11/28/78 to Thomas Ellis, permit to erect a structure at 143 Carmel.

Appellant Walter Munz, Margery Crawford; Walter Goetz, and Dick Rafael gave the grounds for this protest. Appearing in favor of the permit were owner Thomas Ellis, realtor Charles E. Wahlen, architect Albert Lanier, Nick Rubicon, and contractor Randall Nathan. In a 2 to 2 vote with Commissioners Scott and Engmann voting to overrule, the board concurred in the granting of this permit.

Appeal 8380 was on calendar for rehearing. Appellant John F. Doherty appeared and was granted a continuance to January 10, 1979 because his attorney was not present.

Appeal 8374 has been continued to January 3, 1979 at the request of the appellant's attorney and with agreement of the department concerned.

Appeal No. 8373 was on the agenda for rehearing. Mr. Nasser represented the appellant-protestants, and permit holder F. Theodore Kitt spoke. In a 3 to 1 vote with Commissioner Engmann voting to overrule, the board concurred in the granting of the permit.

APPEAL NO. 8406

Joseph Cicio, Appl. vs. S.F. Dept. of Public Works, Resp. (S.F. Fire Dept. Disapp.)
Denying appellant 11/29/78 permit to alter a building at 67-69 Henry Street.

Inspector McDonnell read the letter from the Department of Public Works, and the appellant appeared. The board voted 3 to 1 to concur in this denial, with Commissioner Scott voting to overrule.

APPEAL NO. 8409

Yong Hie Moose, Appl. vs. S.F. Police Dept., Resp.
Revocation on 11/20/78 of Masseuse Permit.

Officer Michael Seybold spoke for the Police Department, and the appellant appeared with a representative. The board voted unanimously to overrule, with the stipulation that permit be reviewed by Police Department in six months from date of reinstatement.

Appeal No. 8412 has been continued to January 3, 1979 at the request of the appellant's attorney and with agreement of the Police Department.

APPEAL NO. 8414

Pearl C. Henkel, Appl. vs. S.F. Police Dept., Resp. (City Planning Dept. Disapp.)
Denying appellant 11/24/78 permit for Place of Entertainment at 1396 La Playa.

Daniel Sullivan spoke for City Planning Department, and the Police Department has no testimony to offer. Attorney Daphne Fox represented the appellant, who also spoke. With Commissioner Engmann voting to concur, this appeal lacked the necessary four votes to overrule the departments. Because the vote of a fifth Commissioner might have changed the outcome, rehearing was automatically granted, and scheduled for the meeting of January 3, 1979.

APPEAL NO. 8416

David K. Wong, Appl. vs. S.F. Dept. of Public Health, Resp. (City Pln'g Dept. Disapp.)
Denying appellant 11/28/78 permit for Food Product and Marketing Establishment at 2065 Powell Street.

Daniel Sullivan presented the case for City Planning Department, Inspector Chin appeared for the Health Department, and the appellant testified. After hearing all arguments, the board unanimously concurred in the Planning Department's position, with stipulation that permit be allowed to run for three years to January, 1982. Denial of the permit by the Health Department was overruled.

APPEAL NO. 8417

Bonnie Jones & Robert Fallon, Appls. vs. S.F. Dept. of Public Works (S.F. Fire Dept.)
Denying appellants 12/6/78 permit to alter a building at 3983-3985 - 24th Street.

Inspector McDonnell outlined this appeal, and appellant Bonnie Jones spoke. After hearing the facts, the board voted unanimously to overrule.

The appellant in Appeal No. V-8400 has withdrawn his appeal in writing, and this item has been dropped from the agenda.

APPEAL NO. 8407

Joseph & Carmen Zaiz, Appls. vs. S.F. Dept. of Public Works (City Planning Disapproval) Denying appellants 11/21/78 permit to alter a building at 81-83 Dorland Street.

Daniel Sullivan spoke for City Planning Department, and the appellant Joseph Zaiz appeared. A site inspection was scheduled for Friday, December 15 at 1:30 p.m., and further hearing will be held at the next regular meeting.

APPEAL NO. 8397

Carol Lambdin, Appl. vs. S.F. Dept. of Public Works, Resp. Protesting issuance on 11/20/78 to Whereco Corporation, permit to alter a building at 1625 Van Ness Avenue.

The following persons gave the grounds for this protest: Attorney Eugene Chow representing the appellant-protestant, Michael Harpel, James Michael Hoffman, Joseph Thomas, June Preston, Carol Lambdin, and Leon Beck. The permit was defended by attorney Marvin Lewis, John Bruner, and a representative of Whereco Corporation. Daniel Sullivan and Inspector McDonnell gave information for their departments. The board members will inspect the building on December 15, and will consider this appeal further at the meeting of January 3, 1979.

There being no further business to come before the board, President Cerbatos announced adjournment at 11:55 p.m.

Agripino R. Cerbatos
President

Philip J. Siggins
Executive Director

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# MEETING OF THE BOARD OF PERMIT APPEALS

## CITY AND COUNTY OF SAN FRANCISCO

## WEDNESDAY, DECEMBER 20, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was held at 5:00 p.m. on Wednesday, December 20, 1978 in City Hall, Room 282.

Present were: Vice President David Scott
Commissioner Mattie Jackson
Commissioner Douglas Engmann
Commissioner Richard J. Guggenhime

Also present were Inspector Raymond McDonnell of the Department of Public Works, Daniel Sullivan of City Planning Department, Officer Michael Seybold of the Police Department, Capt. Russ McKlem of the Fire Department, and the board's official Hearing Reporter Doris Levine.

Appeal No. 8420 has been continued to January 10, 1979 at the request of the appellant and with the co-operation of the departments concerned. Appeal 8421 has been put over to the January 3 meeting at the request of the appellant's attorney. Appeal 8422 has been withdrawn in writing and dropped from calendar.

Consideration of requests for rehearing were put over to the next meeting for a full five-member board.

Regarding Appeal No. 8372, the board unanimously approved a change in stipulation No. 1, to correct clerical error regarding removal of ground floor plumbing facilities.

In further hearing of Appeal 8407, the board heard from Daniel Sullivan, Inspector Raymond McDonnell, and the appellant. In a unanimous vote, the board upheld City Planning Department's disapproval, stipulating that the top floor space is to be used in conjunction with the second-story front apartment; cooking facilities to be removed from top floor.

Further hearing was held in Appeal No. 8405. Inspector Raymond McDonnell spoke for the Department of Public Works, and the appellant's attorney Colleen Rohan appeared. The board voted unanimously to overrule, with the following stipulations: (1) Light and ventilation to be provided for ground floor room as required by code; (2) Appellant to comply with Items 3, 9, 10 and 12 of DAHI report dated 12/28/77; (3) Requirements of Electrical Report to be complied with; (4) Plumbing Report dated 11/17/77 to be complied with after appellant confers with plumbing inspector.

APPEAL NO. 8408

Shelley Salpeter, Appl. vs. S.F. Dept. of Public Works, Resp.
Imposition on 11/16/78 of plumbing penalty for work at 1283 - 12th Avenue.

Inspector Raymond McDonnell spoke, and the appellant testified. After hearing all facts, the board unanimously overruled.

APPEAL NO. 8413

James McDuffie, Appl. vs. S.F. Police Dept., Resp.
Denying appellant 11/28/78 permit for bingo games at 560 Divisadero Street.

Officer Michael Seybold appeared for the Police Department, and the appellant spoke. In a 2 to 2 vote with Commissioners Scott and Guggenhime voting to concur, this appeal was denied for lack of the required four overrule votes.

APPEAL NO. 8419

Maximiano Piano, Jr., Appl. vs. S.F. Police Dept., Resp.
Denying appellant 12/6/78 permit as Retail Dealer in Firearms at 1875 Mission Street.

Officer Seybold presented the case for the Police Department, and the appellant appeared. The board unanimously concurred in this denial.

APPEAL NO. 8410

Susan Levitin, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 11/24/78 permit to alter a building at 566 - 10th Avenue.

Inspector McDonnell outlined this appeal, and the appellant spoke. In a split vote with Commissioners Scott and Jackson voting to concur, this appeal was denied for lack of the required four overrule votes.

APPEAL NO. 8423

Board of Trustees, Fine Arts Museum of S.F., Appl. vs. S.F. Dept. of Public Works, Resp.
S.F. Fire Dept. Disapproval
Denying appellants 12/13/78 permit to erect temporary structure at Palace of Fine Arts, Lincoln Park.

Inspector McDonnell spoke for the Department of Public Works, Captain Russ McKlem appeared for the Fire Department, and architect Adolph Rosekrans and Fine Arts Museum representative Susan Levitin testified in favor of the permit. The board overruled unanimously with the following stipulations:

1) Arrangements to be made for fireman to visit premises daily; (2) No gas cooking or open flame to be permitted; (3) Three exits to be provided; (4) Portable fire extinguishers to be provided; (5) Tent to be inspected weekly; (6) Flammability test to be performed; (7) Smoking not to be permitted in tent; (8) If heating is provided, only stem heat to be used; (9) Minimum structural standards for temporary structure to be met; 3/4-inch plywood to be used for floor, within 6 to 12 inches off the ground.

APPEAL NO. 8424

Dr. E. Wayburn, Appl. vs. S.F. Dept. of Public Works, Resp.
Denying appellant 12/13/78 permit to alter a building at 314 - 30th Avenue.

Inspector McDonnell spoke for the Department of Public Works, and contractor T. G. Todhunter represented the appellant. The board voted unanimously to overrule with stipulation that grade of driveway not exceed 25 per cent.

APPEAL NO. 8418

Lucia A. Vaiasicca, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 11/30/78 to Victor Velliam, permit to alter a building at 1114 Silver Avenue.

Lucia and Josephine Vaiasicca gave the grounds for this protest, and permit holder Victor Velliam defended the permit. The board voted unanimously to concur in the granting of the permit, with stipulation that fence be constructed of slats two inches wide placed two inches apart, with appropriate support as required.

APPEAL NO. 8425

Harry Michelsen, Appl. vs. S.F. Dept. of Public Works, Resp.
Protesting issuance on 12/6/78 to James McClary, permit to alter a building at 190 Portola Drive.

The appellant presented his grounds for this protest, and permit holder James McClary appeared. After hearing all arguments, the board concurred in the granting of the permit.

There being no further business to come before the board, Vice President Scott announced adjournment at 10:00 p.m.

Agripino R. Cerbatos, President

Philip J. Siggins, Executive Director

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# MEETING OF THE BOARD OF PERMIT APPEALS

## CITY AND COUNTY OF SAN FRANCISCO

## WEDNESDAY, DECEMBER 27, 1978

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 5:00 p.m. on Wednesday, December 27, 1978 in City Hall, Room 282.

Present were: President Agripino R. Cerbatos
Vice President David R. Scott
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were Nancy Gin of City Planning Department, Officer Michael Seybold of the Police Department, Captain Russ McKlem of the Fire Department, and the board's official hearing reporter, Doris Levine.

Rehearings in Appeals 8347, 8348, 8349, 8351, and 8415 were denied for lack of the required four affirmative votes to motions for rehearing. Request for rehearing in Appeal 8399 has been withdrawn by the appellant. Upon motion of Commissioner Cerbatos, rehearing was granted by a 4 to 1 vote and scheduled for January 3, 1979. Commissioner Jackson's motion for rehearing of Appeal No. 8386 was approved by a 4 to 1 vote; this rehearing will be held on January 17, 1979.

Appeal 8382 was on calendar for rehearing. Nancy Gin presented the case for City Planning Department, and Ed Williams, Harry Jennings, Bruce Gavin, and John Bardis opposed the appellant. Appellant Henry Werdegar appearedd with his representative Colleen Rohan. In a 4 to 1 vote with Commissioner Jackson voting to overrule, the board concurred in Planning Department's position, with stipulation that enforcement of the Cease and Desist Order be stayed for one year from date of this ruling.

Appeal No. 8414 was also on the agenda for rehearing. Nancy Gin appeared for City Planning Department, and the Police Department had no additional testimony to offer. Appellant Pearl Henkel spoke in her own behalf. The board overruled 4 to 1 with stipulations as follows: (1) No amplification of musical instruments; (2) Live musical entertainment to be limited to the following times: Friday and Saturday, 7:00 p.m. to 11:00 p.m., Sunday afternoons, Sunday evenings 7:00 p.m. to 10:00 p.m., and holidays. Commissioner Engmann voted to concur.

Appeal 8374 was on calendar for rehearing. Officer Michael Seybold of the Police Department indicated no new testimony was necessary from his department, and the appellant appeared with her attorney Christopher Hall. The board voted unanimously to overrule this denial, with stipulation that permit be reviewed by the Police Department 90 days after issuance.

Appeal No. 8081 was on calendar for further consideration at the request of the Police Department. The board took no action at this time, requesting that the department put their inquiry in writing.

Appeal No. 8253 was before the board, for clarification of their intent in the ruling of July 19, 1978 in light of the ordinance amending Part II, Chapter IV, Section 24.02 of the San Francisco Municipal Code. The board agreed that because of this change in the Fire Code, no separate pipe connection was required for the swimming pool in question.

The next order of business was election of officers for calendar year 1979. Commissioner Engmann nominated Commissioer David Scott for president, with Commissioner Jackson seconding the motion, and Commissioner Scott was elected unanimously. Commissioner Jackson's nomination of Commissioner Douglas Engmann for vice president was seconded by Commissioner Cerbatos and approved by the other board members.

There being no further matters to come before the board, adjournment was announced at 7:20 p.m.

Agripino R. Cerbatos

Philip J. Siggins, Executive Director

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